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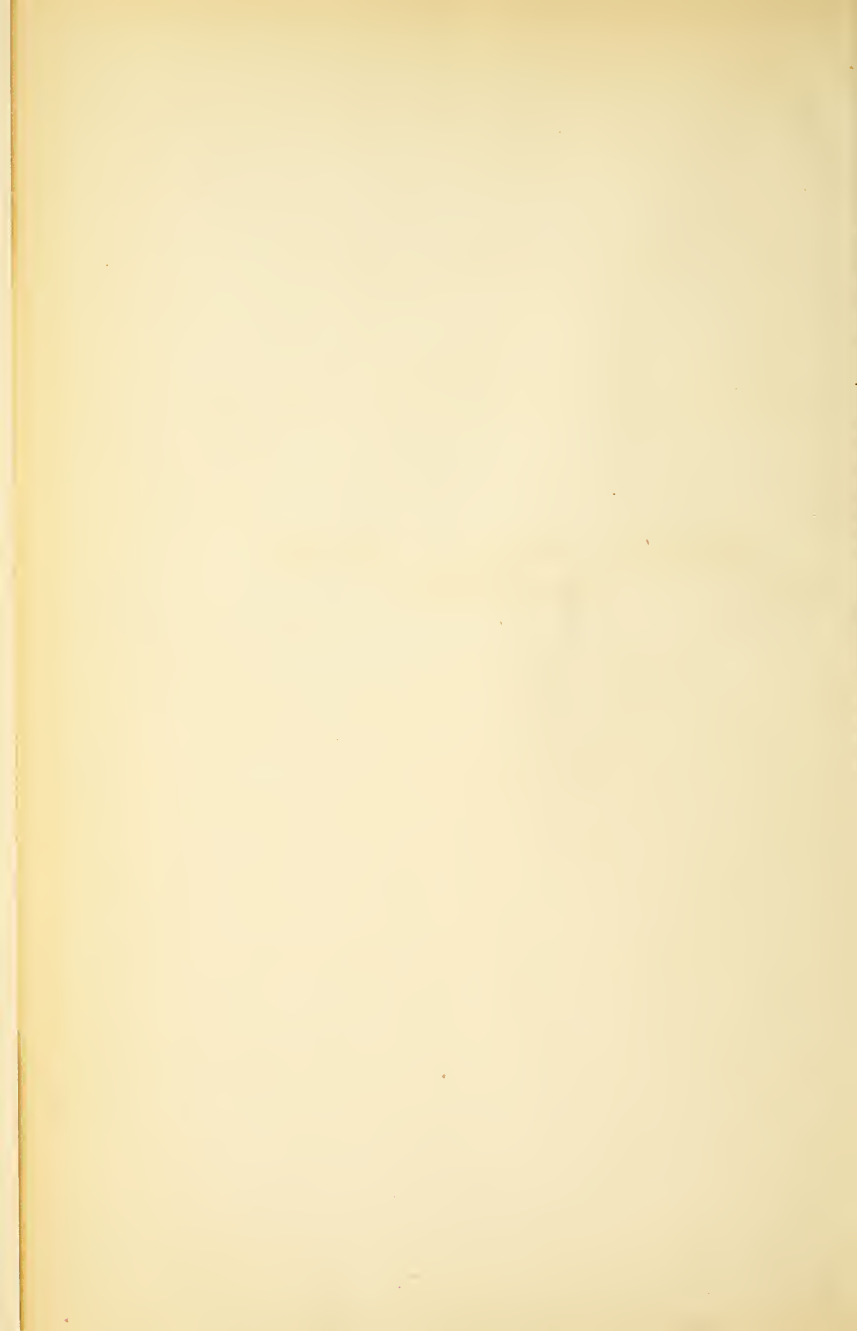
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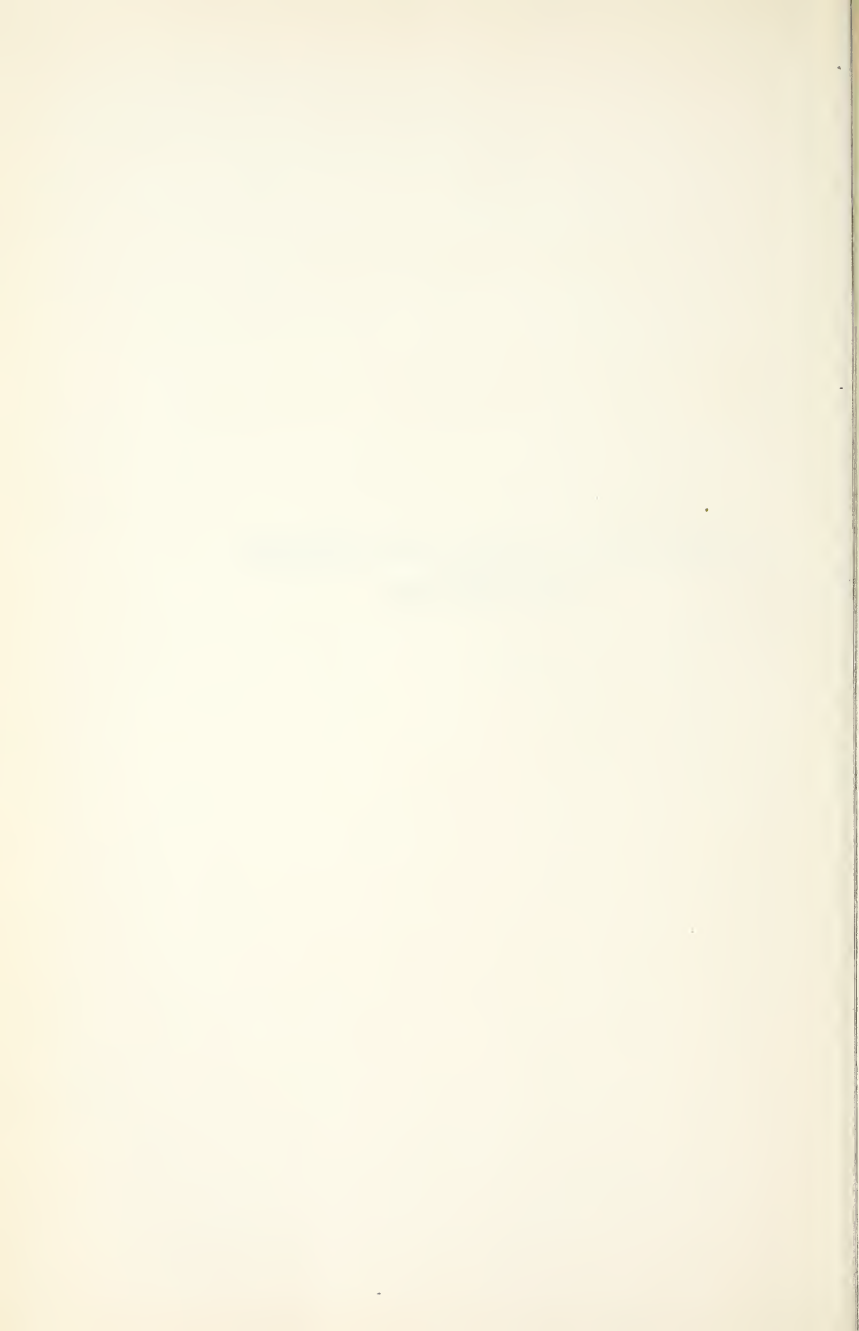




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THE IOWA JOURNAL OF HISTORY
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THE
IOWA JOURNAL
OF
HISTORY AND POLITICS

BENJAMIN F. SHAMBAUGH
EDITOR

VOLUME XXVII
1929

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BENJAMIN F. SHAMBAUGH *EDITOR*
BRUCE E. MAHAN *ASSOCIATE EDITOR*

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THE CITY MANAGER PLAN IN IOWA

[This is the final installment of an article on the city manager plan in Iowa by John M. Piffner. The first installment appeared in the October, 1928, number of this magazine.—THE EDITOR]

AMES

On June 7, 1920, the city council of Ames passed an ordinance providing for a city manager of engineering. This official was to have charge of the street department, electric light plant, waterworks, engineering, purchasing, and was empowered to hire all help for the carrying out of those functions. Control of the police and fire department remained with the mayor. According to the view of the City Managers' Association this "arrangement puts Ames in that category of City Manager cities whose status is questionable."¹²³ The reason for this statement is probably that the association was loathe to grant Ames full status among city manager cities because of the fragmentary nature of the powers granted the city manager and because he was to be primarily a "manager of engineering" rather than an executive in general charge of all municipal administration. The city manager ordinance has since been revised so that there is no longer question regarding the position of Ames among ordinance manager cities.¹²⁴

The adoption of the city manager plan at Ames was not the result of popular indignation aroused by official corruption. It was entirely the voluntary act of the council,

¹²³ *Yearbook of the City Managers' Association*, 1922, p. 25; the old ordinance is published in *American Municipalities*, Vol. XXXIX, p. 110.

¹²⁴ See Ordinance No. 380, dated July 11, 1927.

and the plan itself has never been an issue in municipal elections since the date of its inauguration. "People seem to feel that the city's affairs are being looked after efficiently and conscientiously, and they have confidence that the men they elect as councilmen will not permit waste or extravagance on the part of the manager."¹²⁵

The first city manager at Ames was P. F. Hopkins, a graduate in engineering of Iowa State College. Mr. Hopkins later resigned to become city manager at Mason City, where he was offered a salary of \$6000, a thousand dollars more than Ames was then paying him. The Ames council offered to meet this raise in salary, but since Mason City was a larger city, Mr. Hopkins preferred to accept the Mason City offer. His successor at Ames was John H. Ames, who assumed his duties on August 1, 1927. He was a graduate in engineering of Iowa State College and for several years had been employed as an engineer by the Iowa Highway Commission. He was a resident of Ames at the time of his selection from a field of thirty candidates. His initial salary was \$5100, since raised to \$5500.¹²⁶ The situation at Ames at the time of Mr. Hopkins' advent can probably best be described in his own words:

Very few extensions had been made to the city's utilities during the war, and the rates which had been established in 1916 had not been adequate to meet war-time operating costs. The topography is such that the city is divided into two sections, separated by bottom land not suitable for residences. The western portion of the city lies around the State College. These conditions require much greater investments in the distribution systems of utilities than would be necessary in a closely settled city, and complicate the problem of police and fire protection.

¹²⁵ From a letter from P. F. Hopkins to R. L. Jackson, President of the City Manager League of Mason City, dated December 18, 1926.

¹²⁶ *Ames Daily Tribune*, April 12, June 24, 1927; *Public Management*, Vol. X, March, 1928, pp. 246, 247.

The two portions of the city were served by separate sewage disposal plants, both inadequate and poorly located. The electric plant was operated inefficiently, was under-capacity, and its distribution system needed much rebuilding and extensions. A similar condition existed in the water department. Building operations were beginning to open up on a large scale, so that it was absolutely necessary to provide adequate utilities if this development was to be promptly served. Many important streets needed paving. It is evident that the problems in Ames were problems of utility management and engineering.

No definite plan existed for the development of any of these important utilities. Operating records were incomplete, so that it was impossible to tell accurately what was being done. First aid was given the electric department by installing the necessary instruments and making thorough tests to determine actual operating conditions. Changes made as a result of the information thus gained resulted in a fuel saving of 15 per cent. By the end of 1921, a \$25,000 deficit had been changed to a \$25,000 cash balance and another \$25,000 had been invested in new additions, principally line betterments and extensions.¹²⁷

To gain some idea of the problems that must have confronted the Ames administration one need but consult the census enumerations for 1920 and 1925 and note the fifty per cent increase in population from 6270 to 9332,¹²⁸ probably by this time well over 10,000. In single family residences alone this meant the construction of 500 homes during the first four years — a gain of 30 per cent. This meant new water mains, sewer extensions, additional electric distribution lines, and miles of paving and sidewalks.

PUBLIC UTILITIES

The Electric Plant.— Some of the most important economies of the Hopkins régime took place in the municipal

¹²⁷ Hopkins's *City Management in Ames* in the *City Manager Magazine*, Vol. VI, pp. 9, 10.

¹²⁸ *Census of Iowa*, 1925, p. 941.

electric plant. The generation of electricity by steam has been thoroughly revolutionized in the last few years. New means of generation have effected many economies of which the private utility interests have been quick to take advantage. Indeed, this is what has enabled their propaganda to claim with frequent justice that they have maintained former rates in the face of a much higher price level. Municipal plants, on the other hand, have frequently failed because their management has failed to take advantage of these economies and maintain the plants in the highest state of efficiency. This is largely the result of inadequate operating records and cost data. We have already learned how Mr. Long's operating records at Webster City enabled him to discover a boiler defect that was costing one cent per kilowatt in excess of neighboring boilers.

Mr. Hopkins was confronted with a dearth of cost information when he first came to Ames. One of his first acts was to install the necessary recording devices and accounting records, just as Mr. Long did at Webster City. As a result he very soon increased the output 40 per cent without augmenting the fuel or labor costs. In four years, from April 1, 1920, to April 1, 1924, the value of the plant had increased \$130,000 net.¹²⁹ By the latter date it had been put on a sound basis and Mr. Hopkins was beginning to plan in a scientific way for the future. In his report to the council for April 1, 1924, he summed up the past achievements and suggested the following program: (1) the building of an additional spray pond area in 1924; (2) the purchase of an additional generating unit in 1925; (3) the purchase of additional boilers at an estimated cost of \$20,000 in 1926; and (4) the installation of coal and ash handling equipment at an estimated outlay of \$20,000. It was thought that these expenditures, amounting to about

¹²⁹ *American Municipalities*, Vol. XLVII, p. 11.

\$90,000, could be financed out of current revenues without resort to borrowing. It was also suggested that the council immediately begin to set aside a reserve fund to meet emergency and depreciation needs, and that \$10,000 be at once invested in suitable securities. The report ended by suggesting that consumers be given a reduction of rates from 13 cents to 11 cents per kilowatt, a saving to rate-payers estimated at \$30,000 or the equivalent of a 25 mill tax reduction in Ames. This reduction has since been carried out and a further reduction to 10 cents for the first twenty K. W. H. has also been put into effect.¹³⁰ We quote the following from a report read by Mr. Hopkins before the League of Iowa Municipalities at Carroll in August, 1926:

The first electric plant in Ames was started in 1896. \$12,000 in bonds were issued and \$8,000 additional borrowed locally. The \$8,000 was paid off gradually and the \$12,000 bond issue paid in 1916. No other bonds were ever issued. All extensions and improvements have been financed from the plant earnings. As the city grew it was necessary to add or replace equipment and to enlarge the building. The present building was built in 1915. The first turbine was installed in 1914, the second in 1918, and the third in 1925. In 1922, the steam plant was overhauled, two additional boilers installed, and a 206 ft. stack built. Last year the entire switch board and racks were rebuilt, and are today as complete and up to date as money can buy. This year we expect to install coal and ash handling equipment; next year another boiler, and so on. Each year something is done to better the operating conditions. The distribution system has been undergoing a steady rebuilding since 1921 to take care of the rapidly increasing load — bigger poles, heavier copper, larger street lights — there seems to be no stopping place. From 1920 to 1925, Ames increased 50% in population; electric meters increased from 1800 to 3100, or 72%; output increased from 1,750,000 kwh to 3,150,000, or 80%. The

¹³⁰ Manager's annual report for April 1, 1920, in *American Municipalities*, Vol. XLVII, pp. 11-13; letter from City Manager J. H. Ames, dated August 9, 1928.

output for 1926 will exceed 3,600,000 kwh, yet we will not burn any more coal than during 1920. Increased efficiency in the plant and a better distributed load is the answer.¹³¹

For the year ending March 31, 1926, the Ames electric plant showed a gross profit of \$82,770.18 out of a gross income of \$167,550.21. After deducting 5 per cent for depreciation and 5 per cent for interest on the valuation of the previous year, and after making a credit of \$10,000 for taxes, the remaining net profit would have been \$44,445.70, or 16 per cent. The valuation of the plant is carried forward each year by deducting 5 per cent of the last previous valuation and adding the year's improvements to the result. The net value when Mr. Hopkins left Ames was \$456,000 as compared to \$183,000 in 1920 — all purchased out of profits since the retirement of the \$20,000 borrowed in 1896.¹³²

The following rates minus a 10 per cent discount if paid by the 10th of the month are in effect at Ames:¹³³

Lighting		Power	
First 20 Kwh	10c	First 100 Kwh	6c
Next 80 Kwh	9c	Next 100 Kwh	5c
Next 100 Kwh	7c	Next 800 Kwh	4c
Over 200 Kwh	5c	Next 1000 Kwh	3c
		Over 2000 Kwh	2c

Electricity for cooking is supplied at a flat rate of four cents per kilowatt.

Mr. Hopkins is of the opinion that rates for a municipal light plant should not be reduced to rock bottom in Ames. He feels that the community should be partially supported

¹³¹ *American Municipalities*, Vol. LI, pp. 18, 19.

¹³² *Ames Daily Tribune*, May 18, 1927; *American Municipalities*, Vol. LI, p. 19.

¹³³ *American Municipalities*, Vol. LI, p. 19; *City Manager Magazine*, Vol. VI, p. 33; letter from City Manager J. H. Ames, dated August 9, 1928.

by the many brief residents connected with the college who pay no direct taxes to the city. An electric rate that will be reasonable and still pay the city a profit will accomplish this purpose. Mr. Hopkins further feels that a municipal plant should be paid for street lighting out of taxation because otherwise many non-resident property owners would be benefited without contributing in any way. He made the statement to the writer that by 1935 the Ames council could divert from the water and light funds each year without hurting the plants in any way a sum equal to that now raised by taxation for municipal purposes — about \$100,000. In handing his formal resignation to the council on the evening of May 17, 1927, Mr. Hopkins said that with reasonable management “the electric plant holds the solution of the city’s financial problems for all time. No other item is so vital to the future of Ames. If this utility is ever permitted to deteriorate to such an extent that its sale will be justified, it will be only because some city council has been traitor to the trust of the citizens of Ames.”¹³⁴

In making this statement, however, he warned against the “killing of the goose that lays the golden egg”. As the result of a bill that was enacted into law by the Forty-second General Assembly, largely as a result of Mr. Hopkins’ efforts — although the bill in its final form carried features objectionable to him — Ames was able to reduce its tax levy 8 mills by transferring \$26,000 from the light plant surplus to other funds.¹³⁵ This contribution to the city treasury is approximately 26 times the total taxes said to be paid per year to schools, State, county, and city by the privately owned gas utility in Ames.¹³⁶

¹³⁴ *Ames Daily Tribune*, May 18, 1927.

¹³⁵ *The Des Moines Register*, July 11, 1927; *Ames Daily Tribune*, July 9, 1927.

¹³⁶ *American Municipalities*, Vol. LI, p. 17.

The electric department also plans to aid Ames to achieve the status of the true city beautiful by the gradual placement of distribution lines under ground.

The Waterworks.—On April 1, 1920, the Ames waterworks was valued at \$106,000 plus \$3000 cash on hand. It owed current obligations consisting of pumping bills amounting to \$11,000 and there were outstanding bonds amounting to \$42,000. There were insistent demands for extensions and new mains which could be met only with great difficulty because of the high price of iron pipe. Nevertheless, many miles of extensions were made without increasing the rates, although a 25 cent charge was placed on each meter and it became necessary to make a 5 mill levy to pay for water purchased from Iowa State College for the fourth ward. By April 1, 1924, new mains, meters, hydrants, valves, etc. had absorbed \$63,000. The bonded indebtedness had been decreased and the value of the plant had increased \$67,000.¹³⁷ A bond issue in that year led to many extensions and improvements. The troublesome iron is now being removed, the city is being entirely supplied from its own wells, and a new filtration plant has been completed. The bonds are being retired rapidly, \$11,000 being recently transferred from the electric department surplus to retire water bonds.¹³⁸ On April 1, 1928, the waterworks was valued at \$350,000 with \$8,335.08 of cash on hand and a bonded indebtedness of \$72,000.¹³⁹ This means that during the city manager régime the Ames waterworks have increased in value \$250,000 without resorting to taxation or increased rates.

¹³⁷ *American Municipalities*, Vol. XLVII, p. 13.

¹³⁸ *Ames Daily Tribune*, July 7, 1927.

¹³⁹ Official report of the Department of Finance and Municipal Accounts, City of Ames, for year ending March 31, 1928.

MUNICIPAL FINANCE

Ames has not been a low tax city like Webster City and Iowa Falls. It is quite obviously difficult, however, to reduce taxes in a municipality that has a 50 per cent growth in population in five years. Such expansion requires expenditures quite beyond normal. Thus Ames has been compelled to maintain a fairly high tax rate during recent years. The city schools take from 55 to 62 per cent of all taxes levied. The general city levies run from 26 to 30 per cent of the total levies, and of this amount about one-half goes for the maintenance of the city hospital, library, parks, cemeteries, and for the retirement of bonds, so that less than 15 per cent of the taxes levied in Ames are actually available for general operation.¹⁴⁰

On March 31, 1928, the outstanding indebtedness of Ames amounted to \$161,830.55, with a cash balance on hand in all funds amounting to \$93,973.37. Of this amount the water bonds of \$72,000 will not be paid from taxation. Indeed, none may be so paid if the electric plant continues to prosper at its current pace. The municipal possessions of the city amounted to \$1,294,000 in 1927 as against \$605,200 in 1920.¹⁴¹ All bonds were issued on a serial basis even before the present law requiring such procedure. They are paid promptly.

With the transfer of \$15,000 from the electric fund surplus to the general fund, as approved by the State Budget Director on July 8, 1927, the Ames tax levy was reduced 7.36 mills.¹⁴² It is said that this reduction is made in the

¹⁴⁰ See a letter from P. F. Hopkins to R. L. Jackson of Mason City, dated December 18, 1926.

¹⁴¹ Official report of the Department of Finance and Municipal Accounts, City of Ames, for year ending March 31, 1928; State Auditor's *Report on Municipal Finances*, 1920, p. 58.

¹⁴² News reports on this matter are carried in *Ames Daily Tribune*, July 9, 23, August 2, 1927, and *The Des Moines Register*, July 11, 29, 1927.

face of increases caused by raising the hospital levy from 3 to 5 mills and by instituting new levies of 1 mill for the library and $\frac{3}{4}$ mill for police and firemen's pension funds.¹⁴³ The 1927 budget estimate shows total expenditures of \$123,698 as compared with \$141,024 for 1926 and \$133,835 for 1925.¹⁴⁴ A State examiner is reported to be highly pleased with a recent audit, saying that "few cities of more than 10,000 in the State can show as good a financial condition as Ames does for the year ending March 31, 1927." The examiner further noted "that the records of the city clerk are well kept and accurate" and he recommended "to other cities Ames' system of accounting as being especially good."¹⁴⁵

Accounting.—The city manager at Ames does not act as city clerk as in Iowa Falls, West Liberty, and some other ordinance manager municipalities. The clerk is a separate officer independent of the manager and under the direct control of the council. Nevertheless, the manager is not absolved from all bookkeeping responsibility. It has already been stated how Mr. Hopkins' success with the utilities has been largely due to the inauguration of operating records and cost accounts. Section 5 of the ordinance of July 11, 1927, states that the city manager "shall keep a full and complete record of all transactions and a record of the persons employed and all compensation paid them. At the end of each fiscal year, and at such other times as the council may call therefor, he shall make a complete report of all matters under his control." Section 6 goes on to state that he "shall at the beginning of each fiscal year prepare and submit to the council an annual budget on the

¹⁴³ *The Des Moines Register*, July 29, 1927.

¹⁴⁴ *Ames Daily Tribune*, August 2, 1927.

¹⁴⁵ *Ames Daily Tribune*, July 23, 1927.

basis of estimates of the expenses of the various departments of the City under his control.”

PUBLIC SAFETY

Police.—The first manager ordinance, No. 319, of May 20, 1920, gave the manager no authority over the police: that remained with the mayor as is the case in most ordinance manager cities. The new ordinance goes as far as it is legally possible in delegating police supervision to the manager. It states that he “shall have such control and supervision of the police department as the Mayor, may, at any time delegate.”

Fire.—The original manager ordinance also failed to delegate to the manager authority over the fire department. The new regulations provide that he “shall have full charge and control of the fire department, and shall appoint and employ the members thereof, subject to any rules of the Civil Service which may be in effect.” Ames must now apply the statutory civil service regulations to the police and fire departments as the result of attaining a population of 8000.¹⁴⁶

PERSONNEL

The manager is given the authority to employ such assistants as he may deem necessary and fix their compensation. He also has the power to dismiss summarily and without cause any officer, appointee, or employee, whom he has authority to appoint or employ. The writer was impressed by the fact that both Mr. Hopkins and Mr. Long of Webster City placed such great emphasis on the development of an *esprit de corps*. Mr. Hopkins found that his success at Ames was largely dependent upon creating in each man on the city payroll an enthusiastic joy in his work.

¹⁴⁶ Code of 1927, Sec. 5689.

Each Ames employee may hope to see a little increase in his pay envelope each year. The city force is comparatively well paid. The manager gets a salary far larger than any other ordinance manager in Iowa and the chief of police is said to be the second highest paid police official in any Iowa city — Des Moines alone pays more.

MISCELLANEOUS DUTIES

The manager is now charged with the care, repair, and maintenance of the streets, alleys, avenues, and sidewalks. He is entrusted with the work formerly performed by the city engineer. He must see to the cleaning, sprinkling, and lighting of the streets, alleys, and public places; the collection and disposal of waste and garbage; and the preservation of the tools, appliances, and personal property of the city under his jurisdiction. He has charge of the sewers, drains, and disposal plant; the cemetery; and the municipal buildings and real estate, except the library, hospital, and parks, which are under separate boards. The manager makes purchases for all activities under his control. He is the enforcing officer for the zoning ordinance, the fire limits ordinance, and the building code; and he enforces the obligations of privately owned utilities. The manager must attend all council meetings.

BETTENDORF

The city of Bettendorf is east of and adjacent to Davenport on the banks of the Mississippi River. It is the home of the huge Bettendorf railway car manufacturing concern, a city of about 2500 inhabitants with homes varying from the palatial houses of the factory owners to the humble abodes of the laborers. Bettendorf had found it necessary to spend a great deal of money on paving, sewers, and other construction. In many cases the work failed to stand up

and the money seemed to have been spent in vain in spite of the fact that in a single year \$8100 had been paid for engineering fees. As a result the council conceived the idea of hiring a permanent engineer to take charge of streets, sewers, engineering, and all public works.

Frank L. Seymour, the man selected for this task, graduated in civil engineering from Iowa State College at Ames in 1926. During his academic course he decided to prepare himself to become a city manager and broadened his study so as to take in courses in the field of government and finance. After several months experience as bridge engineer he became street commissioner and city engineer at Bettendorf in May, 1927. After serving in that capacity for a year he became city manager of Bettendorf under an ordinance copied rather closely after the first Ames ordinance.¹⁴⁷ The manager has authority over little other than engineering, streets, and public works. There is a city clerk independent of the manager, a volunteer fire department, and the mayor still retains control of the police. The manager has in fact quite effective control of the city's finances and is in charge of all purchasing. He can purchase any item up to \$300 without council authority and he can go ahead and undertake routine jobs without consent of committee chairmen.

Mr. Seymour receives a salary of \$3300. This salary represents about four mills of taxation, yet Bettendorf reduced taxes $1\frac{1}{2}$ mills in 1928 without increasing assessed valuation. This saving has resulted from having a trained engineer on the job all of the time. For instance, sewers must be built through solid rock in some sections of the city. The new manager supervised very closely the construction of five hundred feet of sanitary sewer through rock saving the city \$2000 over a previous job. Much

¹⁴⁷ *The Des Moines Register*, May 9, 1928.

saving has resulted from the correction of faulty construction of storm sewer drainage which in turn caused unduly large street cleaning costs. The city manager has installed a systematic plan of garbage collection. Plumbing inspection and electrical inspection are subject to the supervision of the city manager. A total lack of bench marks led to a chaos of grades for sidewalks, etc. Adequate maps of underground improvements were not available. Mr. Seymour is correcting this by establishing and recording grades wherever he surveys. Each private engineer is required to submit a copy of all work done in the city. In this way it is expected that a true and extensive engineering record of the entire city will be soon available. In addition to purchasing a great deal of street equipment about a mile of dirt streets have been rendered passable in wet weather through a coat of crushed rock—all without increased expenditure.

CLARINDA

The city manager plan in Iowa had its origin in Clarinda, its inception taking place in the mind of former Mayor Earl Peters, now judge of the fifteenth judicial district of Iowa. Judge Peters was mayor of Clarinda from April, 1911, to April, 1915. During his first term he became aware of the inherent defects of the old mayor and council organization. "Not only was there no coöperation among the different departments, but frequently there was a rivalry existing among them. It was apparent that this system of government was not obtaining the desired results, and was too expensive for the benefits realized."¹⁴⁸ This realization led Judge Peters to make a study of the different forms of city government with a view toward bettering conditions in Clarinda.

¹⁴⁸ Letter from Judge Peters to the writer, dated September 3, 1927.

At that time the commission form of municipal government was popular and Judge Peters was favorably inclined toward it, but he realized that Clarinda could not afford to pay the large salaries necessary to secure three or five commissioners of a desirable type. About this time he read that the city manager plan was in operation in one of the smaller cities in South Carolina. This idea immediately impressed the mayor as embodying a scheme of organization much more feasible for a city of the size of Clarinda. Such a municipality could afford to pay a salary sufficiently large to attract one good man to take charge of all of the departments of the city. It was thought that such centralization would eliminate much of the inefficiency existing under the old system.

Judge Peters presented the matter to the new council when it met in April, 1913, and urged that the city manager plan be given a trial in Clarinda. During that same month an ordinance was adopted placing Clarinda under the city manager form of government. Since there was at that time no statute authorizing the appointment of such an officer in Iowa, this ordinance was passed under the provision of Section 655 of the *Code of 1897* which grants cities and towns power to provide by general ordinance for the appointment of such officers as are needful and proper for the good government of the city or town. Thus, while the city manager plan, as it existed prior to 1915 at Clarinda and Iowa Falls, is frequently referred to as extralegal, in reality the framers of the Clarinda ordinance did find some statutory authority in the Code section mentioned above.

At the next session of the General Assembly in 1915, the backers of the Clarinda plan aimed to remove all doubt as to the legality of the city manager plan by ordinance. The statute authorizing the establishment of this form of government was framed by City Solicitor W. F. Stipe of

Clarinda who also assisted in securing the passage of the bill by both houses of the Iowa legislature, of which he had formerly been a member. The difficulty of this task was increased by the objection from some quarters that the bill would conflict with or jeopardize the success of the charter city manager measure which originated and became law at the same legislative session. This obstacle proved to be surmountable, however, and both city manager laws took form and went into effect simultaneously.¹⁴⁹

The Manager's Duties.—The manager acts as city clerk,¹⁵⁰ but is assisted in the clerical duties by an assistant. He is also sexton of the cemetery,¹⁵¹ street commissioner,¹⁵² manager of the waterworks, superintendent of markets, superintendent of the fire department, manager of city buildings, city milk inspector, and city engineer.¹⁵³ He is the expert adviser to the council upon regulation of utility rates and service.

The manager has complete charge of the fire department and its equipment, appointing all the members and officials thereof. A full-time paid driver is on duty at the station, which is also the home for his family. A part time chief is paid \$100 per year while the members receive five dollars per month.

The first manager at Clarinda was not an engineer. The advantages of a manager-engineer soon became apparent, however, and the last four incumbents have all been mem-

¹⁴⁹ These statutes are to be found in *Laws of Iowa*, 1915, Chs. 95, 180; *Code of 1927*, Chs. 327, 328.

¹⁵⁰ *Revised Clarinda Ordinances*, 1922, Secs. 29, 44.

¹⁵¹ *Revised Clarinda Ordinances*, 1922, Secs. 48, 274, 278, 279, 287, 289.

¹⁵² *Revised Clarinda Ordinances*, 1922, Sec. 45.

¹⁵³ The body of the city manager ordinance is contained in Section 50 of the *Revised Ordinances of 1922*.

bers of that profession. The writer has been informed by reliable sources that this arrangement has given valuable aid in securing low figures on contracts: the engineer-manager has the interests of the city more thoroughly at heart than the non-resident consulting engineer, who makes only occasional trips of inspection during the process of construction, while the resident manager is on the job all the time. It is stated that no poor paving has been laid in Clarinda since the duties of the city engineer were conferred upon the city manager. It is also claimed that a recent manager was so exacting in his engineering inspection requirements that the contractor actually lost money in the building of the new waterworks.

The city manager has no connection with the police department. The mayor appoints the police and health officer and issues all licenses, with the exception of those permitting the sale of cigarettes, which are issued at the manager's office. Aside from these the manager appoints or employs all other city employees.

The Council.—The fathers of the Clarinda city manager plan deemed a council of four sufficiently large, and the number of wards was reduced to two, one councilman being elected by each ward and two elected at large. Council committee work now takes but little of the members' time. Their duties are principally legislative. It is claimed that this attracts a higher class of councilmen, since responsible business and professional men are willing to serve when they know that they will not be required to spend long hours of their valuable time attending to the minute details of city administration. It is also claimed that this situation has tended toward a continuity of policy from one administration to another in spite of the fact that all of the councilmen must stand for reelection every two years.

Finance.—Clarinda is now living within its income and will be entirely free of debt in ten years without additional taxation. Formerly the debt was carried from year to year without any apparent attempt at retirement. Thus the city was recently confronted with the necessity of building a new waterworks while the bonds of the old plant were still outstanding. Most of these old bonds have now been paid off and the remainder of these old obligations have been refunded for serial retirement in a few years.

The city is the owner of a fine municipal building which, in addition to the municipal offices, houses a theatre and a national guard company. The former pays a rental of \$132 per month and the latter \$150 per month. This revenue is paying off the purchase bonds without resort to taxation. When the building is free of debt it should be the source of considerable tax-reducing income. It is appraised at \$40,000, and all non-profit paying organizations of the city have free use of it.

The Managers.—The first city manager was T. A. Wilson, a resident of Clarinda.¹⁵⁴ Clarinda has had five city managers, all of whom have been engineers except Mr. Wilson. H. F. Elliott is now in the engineering consulting business in Centerville, Iowa. Henry Traxler is now city manager of Janesville, Wisconsin, at a salary exceeding that of the Governor of that State. C. L. Ehrhart was city engineer and superintendent of the waterworks at Boone, Iowa, before coming to Clarinda. He has recently resigned to accept a position at Council Bluffs as superintendent of the waterworks at almost double his Clarinda salary. Clarinda managers have, with possibly one exception, left

¹⁵⁴ The writer regrets that he has been unable to find a work, presumably by former manager T. A. Wilson, entitled Wilson's *The City Manager Plan in Clarinda*, cited by Mr. Chang in his thesis on commission and city manager plan government which was published by the State University of Iowa in 1917.

the employ of the city voluntarily to accept greater responsibilities with increased income. Warren D. Toyne, the present incumbent, was formerly city engineer at Carroll, Iowa.¹⁵⁵

It is the general policy at Clarinda to start a manager at a salary of about \$2700 and increase it at the rate of \$250 each six months to a maximum of about \$4000. Mr. Toyne is now receiving \$3600. Many cities the size of Clarinda may feel that they can not afford to pay such a salary, but the Clarinda advocates of the plan claim that they are actually saving money over and above the former cost of their city government on the old plan. The former salary budget was as follows:

City Clerk	\$1500
Engineering costs	3000
Sexton of the cemetery	1200
Street Commissioner	1000
Superintendent of water works	1500
Chief of fire department	250
	<hr/>
	\$8450

By consolidating these departments under the city manager the same work is done at a cost of \$5250, including the manager's salary at \$4000.¹⁵⁶

City Solicitor Stipe, who has been in close touch with city affairs, has the following to say regarding the government of Clarinda:

In addition to the above enumerated advantages and points in favor of the City Manager Plan as applied to a city of the size of Clarinda, it is claimed by its advocates that as the Manager employs, 'hires and fires' all of the help of the city engaged in the

¹⁵⁵ *Annual Report of the City Managers' Association*, 1915, p. 128; *Tenth Yearbook of the City Managers' Association*, 1924, p. 193; *Public Management*, Vol. IX, pp. 277, 474, Vol. X, p. 251.

¹⁵⁶ These figures were presented to the writer by City Solicitor Stipe.

conduct and superintendency of the City Clerk's office, the City Cemetery, the Fire Company, the streets and alleys, the Waterworks, the Municipal buildings and engineering, with the power and practice of transferring this help back and forth from one of said departments to the other as the urgency of either one of them requires from time to time, that this tends not only toward more permanent and efficient class of help on the city roll, but also toward getting all this work done at a less total annual expense. Under the old plan one councilman would pick up men from time to time on a per diem basis to do street work, with these men working today and laid off tomorrow. Another councilman would do likewise with regard to help on the waterworks. Another with regard to the City Cemetery. Another with regard to the Fire Department. And so on around among the various departments of the city. The councilmen as a rule owed their election to the support of these unemployed and casual laborers and felt bound to pay back the political debt by the employment of such people in the various departments of the city. Thus was the help on the pay rolls of the city one day at a per diem, and perhaps next day doing nothing, resulting in a high annual cost in the conduct of the affairs of each department of the city. Today, under the City Manager Plan, he employs help capable of and willing to do all classes of city labor, and who are kept constantly and permanently on the pay roll from month to month and from year to year. They are not employed for the purpose of paying off some political debt, but are employed and put on the city pay roll entirely on the grounds of their efficiency and for the purpose of accomplishing results. And that efficiency has been increased and real results obtained. The advocates of the Manager system point with pride to the records and history of each department of the city during the past fourteen years.

Conclusion.—The city manager plan has had its longest trial in Iowa at Clarinda and is distinctly out of the experimental stage. It is just as much an accepted institution as are the public schools. Clarinda undoubtedly is one of the most intelligently managed communities in Iowa according to many unprejudiced observers.

IOWA FALLS

Iowa Falls started to operate under the city manager plan in May, 1914, one year before the State legislature had enacted the law enabling municipalities to establish the office of city manager by ordinance. The first Iowa Falls manager, E. L. Marriage, was thus an extralegal official — a sort of exalted city clerk. J. O. Gregg, the second city manager, served as city manager from March, 1917, to October, 1927. When the city manager ordinance was first adopted he was part time clerk and the proprietor of a mercantile business. The council offered him the position of city manager at that time but he was unable to accept until he had disposed of his own business. On October 1, 1927, Mr. Gregg resigned because of ill health and was succeeded by L. H. Sours, executive secretary of the Commercial Club and former pastor of the local Christian Church.¹⁵⁷

The Municipal Waterworks.—The Iowa Falls waterworks were formerly operated upon a flat rate basis. Consumers were so wasteful that it was necessary to pump continuously for fifteen to eighteen hours each day. The councilmen were finally induced to install a meter system by buying a large quantity of meters and selling them to the consumers at cost.¹⁵⁸ This resulted in cutting the cost of pumping by reducing the pumping time to half the former figure, and also materially increased the water revenue. The Iowa Falls waterworks system today has no outstanding indebtedness and is carrying a substantial surplus. During the city manager régime the waterworks have been

¹⁵⁷ *Public Management*, Vol. IX, p. 277, Vol. X, p. 247. The writer made a personal visit to Iowa Falls on July 12, 1927, when he interviewed Manager Gregg and Mayor W. A. Middleton. On a visit to Iowa Falls on August 1, 1928, Mayor Middleton and Manager Sours were interviewed.

¹⁵⁸ *Proceedings of the City Managers' Association*, 1915, pp. 77-79.

entirely remodelled and electrically driven machinery has been installed.

Formerly the city's representative went to the consumer to collect water bills and delinquents were treated with considerable leniency. Now the consumers pay at the city manager's office and service is turned off if a bill is not paid within thirty days. Mr. Gregg did not average a loss of ten dollars per year on water collections. Like Mr. Long at Webster City, Mr. Gregg has elaborated on the State accounting forms by carrying out a more detailed itemization of expenditures upon the water plant. Indeed, it would appear that wherever a municipal industry is being run on a paying basis it is largely because those in charge are able to trace costs through an efficient accounting system.

The Iowa Falls water supply is taken from three wells 275 feet deep in lime rock.

City's Financial Condition.—At the beginning of Mr. Gregg's régime Iowa Falls had a debt of \$67,000 covering overdrafts and deficits of previous years. Today these old bonds are practically all retired. In addition the city manager was able to reduce the tax levy during a period when the prices of every thing the city bought were rising. By 1919 the expenditures of the city had been reduced \$11,808 below that of 1917.¹⁵⁹ The municipal levies of Iowa Falls for August, 1925, to be effective for 1926, may be compared with those of neighboring cities in the same county. Ackley has a levy of 52.2 mills; Alden, 56.6 mills; Eldora, the county seat, 53.4 mills; and Iowa Falls, 39 mills.¹⁶⁰ Owing to interest reductions resulting from debt retirement the levy in 1928 for 1929 has been reduced to 36.9 mills.

¹⁵⁹ *Fifth Yearbook of the City Managers' Association*, 1919, p. 52.

¹⁶⁰ *Proceedings of the Hardin County Board of Supervisors*, October 27, 1925; letter from L. H. Sours to Benj. F. Shambaugh, dated November 15, 1928.

Mr. Gregg is said to have kept a perfect set of books. Citizens of Iowa Falls take great pride in the commendation of representatives of the State Auditor's office who check the Iowa Falls books.

The City Manager's Organization and Functions.—The city manager is city clerk, street commissioner, and manager of public utilities.¹⁶¹ He is aided by a street foreman and a waterworks foreman over whom he has complete control. The manager attends meetings of the council and prepares reports on matters referred to the council committees. As a result, council meetings now seldom last more than an hour where formerly they were sometimes extended beyond midnight.

The mayor of Iowa Falls appoints and supervises the police, but emergency calls frequently come to the manager's office where they are given prompt attention. The city manager has general charge of the health activities of the city. He looks after quarantines, the cutting of noxious weeds, and the cleaning up of health nuisances. Mr. Gregg was not an engineer, nor is Mr. Sours a member of that profession. An engineer is hired for a particular purpose only when necessary. The fire chief is nominated by the volunteer firemen and is appointed by the mayor, but the manager buys all of the fire equipment and looks after its upkeep. He also issues all licenses and makes all of the purchases for the various departments of the city.

Mr. Sours receives a salary of \$2400 per year.¹⁶² Of course there have been those who regard this expenditure as a useless extravagance. On the whole, however, there has been no organized opposition to the city manager plan.

¹⁶¹ Copies of the Iowa Falls ordinances 118 and 119 are on file with the State Historical Society at Iowa City.

¹⁶² *Public Management*, Vol. X, p. 247.

At each election there are stray rumblings of discontent that have served to annoy the administration, but each succeeding council has kept the plan in force. It is probable that a large proportion of Iowa Falls citizens would oppose any abandonment of the present system.

MANCHESTER

Manchester is among those city manager cities whose status is doubtful. It has an ordinance which has established the office of city manager and outlined his duties, but it is not recognized by the City Managers' Association, although such recognition has formerly been accorded at various times.¹⁶³ The present lack of recognition seems to be due to the city manager's failure to fill out and return the Association's questionnaires. Back in 1916 there had been a city clerk who had served the city for many years. He had proved a very efficient and well trained officer in all departments and had shouldered the municipal burdens in such a manner as to become a *de facto* city manager. He had expected and had been promised an increase in salary to meet the rising cost of living, but the biennium slipped by without any arrangements of this nature having been made. It was found that under the Iowa law no increase could be granted during the term for which the officer was appointed, thus delaying the matter for at least two years.

This difficulty was surmounted by establishing the office of city manager and appointing the clerk to that position at an increased salary.¹⁶⁴ Thus the creation of the office of city manager did not change the form of government at

¹⁶³ *Sixth Yearbook of the City Managers' Association*, 1920, p. 81; *Eighth Yearbook of the City Managers' Association*, 1922, p. 26; *Public Management*, Vol. X, pp. 246, 247.

¹⁶⁴ This story of the birth of the city manager plan at Manchester was told to the writer on July 15, 1927, by a resident of that city and a councilman at the time of adoption.

Manchester. The manager had little more authority than he formerly exercised as city clerk. In fact Manchester is today no more of a manager city than scores of others whose clerks perform similar duties without enjoying the possibly more dignified title of city manager.

Ralph Milroy is the third city manager of Manchester. He was formerly a banker and has had some experience in the electric utility business. He is paid a salary of \$1560 per year and performs the duties of city clerk, manager of the waterworks, and city manager. Mr. Milroy is not an engineer.

Streets.—The original ordinance transferred the duties of street commissioner to the manager, but later the council appointed a street commissioner.¹⁶⁵ The street commissioner came to the manager for orders or to see what work was necessary, but responsibility was usually passed on to the streets and alleys committee of the council. A recent revision of the ordinance, according to Mr. Milroy, has abolished the office of street commissioner, and his duties have been transferred to the city manager.

Water.—The municipally owned waterworks seem to have been well managed. On June 30, 1927, there was a cash balance of \$3157.60 in the water fund with no water bonds outstanding.

Financial Condition.—Manchester seems to be well managed from the financial standpoint. In 1927 there were \$27,917.65 in bonds outstanding, representing for the most part paving deficiency bonds. The manager formulates the annual budget. Bonds are callable in thirty days and are

¹⁶⁵ Ordinance No. 237 of the City of Manchester; *Dubuque Telegraph-Herald*, April 6, 1927, p. 8; letter from Ralph Milroy to Benj. F. Shambaugh, dated November 28, 1928.

called by the manager as soon as there is sufficient money on hand for payment. Interest ceases thirty days after call. The manager's duties are largely office work. The office seems very well kept and its generally spick and span appearance was quite in contrast to municipal premises in some small cities.

The Police and Fire Departments.—Supervision over the police remains with the mayor in fact as well as law. Neither does the city manager have anything to do with the fire department. He does, however, post quarantines and generally sees to the enforcement of health regulations.

The 1924 Election.—On February 19, 1924, an election was held in Manchester to change the form of government. The council had let the contract for forty-five blocks of paving. An anti-paving element sought to block the paving project by electing their own adherents to the council and changing the form of government. The election resulted adverse to change by a vote of 580 to 1664. An impression seems to prevail that this election was on the charter city manager plan, but the records in the city hall show that the change proposed was to the commission form. In fact, however, the election was merely a referendum on the paving question.

Conclusion.—It seems that the city manager ordinance was originally adopted as a political move to secure ends other than the mere change in the form of government. The spirit of the plan seems to have been followed originally but at present the manager is little more than a city clerk and manager of the waterworks. Administration is largely in the hands of council committees which are not in the habit of permitting the manager to exercise a great deal

of leeway and initiative. This impression was gained from both the mayor and the manager, the latter stating that the city manager plan "is not being used here very much".¹⁶⁶

The affairs of Manchester are, however, well cared for. The manager's office gives every impression of being an efficient unit. Municipal property is well kept. The last annual financial report shows the finances are in a healthy condition. The streets are clean and in good repair. There is a reasonable amount of good paving and the most modern traffic control equipment. The writer feels that the manager at Manchester has accomplished good results.

MAQUOKETA

Maquoketa adopted the city manager plan by ordinance in 1920.¹⁶⁷ The first city manager was Guy O. Morse, a local resident with considerable technical ability but without a formal engineering education who had spent many years in municipal service. Early in 1926 Cosson Law ouster proceedings were brought against the mayor and council of Maquoketa. Mr. Morse recognized that this was a move directed at him because of his aggressive campaign in establishing a municipally owned electric plant to compete with the established private utility, so he resigned to take effect on February 1, 1926. The ouster proceedings were then dropped and Mr. Morse was requested to remain in office until a new manager could be selected. He died soon after this of a long standing heart malady said to be accentuated by the physical and mental strain accompanying his long struggle in behalf of the municipally owned light plant.¹⁶⁸

¹⁶⁶ Letter from Manager Milroy to the writer, dated July 12, 1927.

¹⁶⁷ *Seventh Yearbook of the City Managers' Association*, 1920, p. 19.

¹⁶⁸ See Carl D. Thompson's *Maquoketa — City of Light and Power in Public Ownership*, Vol. VI, June, 1924. Some Morse obituary material is contained in the *Dubuque Telegraph-Herald*, March 19, 1926.

In April, 1926, J. G. Thorne, the present city manager, was appointed to succeed Mr. Morse.¹⁶⁹ Mr. Thorne formerly operated a consulting engineering business at Clinton, Iowa, and had made his original contacts with Maquoketa on occasional visits as consulting engineer for the city. He is a graduate in civil engineering of the University of Wisconsin. His salary is \$2400 per year and there is a tacit understanding that he may do outside consulting work when there is no urgent city business at hand. He is also to be paid the regular engineering fees for engineering work on the sewers, streets, alleys, sidewalks, etc.

The City Clerk.—The city manager is city clerk. As such he has complete charge of all the clerical and accounting business of the city. A young woman assists him with the office work.

The Fire Department.—The fire department is composed of a volunteer company under the control of the manager.

Police.—Control of the police remains with the mayor. The manager, however, is accustomed to ask the assistance of the police in matters of law enforcement pertaining to his duties. In every such case the police respect his wishes and obey his instructions even though not bound to do so by law.

Streets.—The city manager is given control of streets, alleys, and sewers. While the mayor still has legal authority to appoint the street commissioner, his selection is always made in deference to the wishes of the manager and the city council.

¹⁶⁹ *City Manager Magazine*, Vol. VIII, p. 61. A short biography of Mr. Thorne is contained in *Public Management*, Vol. IX, p. 450.

Taxes and Finance.—Prior to the city manager régime the municipal tax levy varied from 47 to 50 mills. For 1926 it was 41.7 mills including a 12 mill light bond levy. Since the city manager plan has become effective there is no levy for street lighting or for the water fund. On March 31, 1927, the city did not have any general bonds outstanding. The indebtedness consisted of \$22,000 of city improvement bonds and \$124,000¹⁷⁰ of electric light bonds—all representing expenditures covered by overlapping assets. In other words, no part of the city's debt represents money borrowed to pay deficits in the ordinary running expenses. Maquoketa is living within her income. The report of the examiners from the State Auditor's department for the period from April 1, 1925, to April 1, 1927, has the following to say:

As shown by this report the city is in a healthy condition financially, having \$29,385.76 cash on hand, March 31, 1927, an increase of \$3,210.83 over that shown in 1925. The assets have likewise increased \$42,683.55, and while the outstanding bonded indebtedness has increased \$33,500.00, there has been a decrease of \$7,793.50 in outstanding warrants and overdrafts All payments of bonds and interest have been made when due and it is to be regretted that the Electric Light Bonds are not optional so that the same may be paid off faster.

Of Mr. Thorne's monthly salary, \$150 comes from the water fund and the other \$50 from the light fund. The salary of the office assistant comes entirely from the water fund. Thus no part of the compensation of the two persons who bear the brunt of municipal administration is paid from taxation.

The manager does all of the purchasing for the city, but consults with the council on purchases involving any con-

¹⁷⁰ These figures are taken from the report of the City of Maquoketa published in *The Jackson Sentinel*, May 20, 1927.

siderable amount. He draws warrants to pay all bills during the discount period. These warrants are allowed by the council before they are paid. A considerable sum is thus saved the city.

The Light Plant.—The municipal electric light plant at Maquoketa was established in direct competition with a large private corporation with many properties in northeast Iowa. The history of its birth is replete with countless legal battles and animosities that perhaps have no place in a discussion of this kind.¹⁷¹ Suffice it to say that when the writer made his visit to Maquoketa on August 8, 1927, both the city and private company had distribution systems side by side and both were connected and ready to serve practically every residence and business establishment. The city plant lights all the streets, having over 260 street series lamps and an extensive system of boulevard lighting.

The generating plant consists entirely of Diesel power — one 300 horse power unit and another 250. Either is now capable of carrying the peak, although it taxes the capacity of the smaller one alone. As business develops it is hoped to install a 750 or 1000 horse power Diesel which will relay with the two existing small units operating in unison.

For the year ending March 31, 1927, the net operating revenue was \$3000 in excess of the former year. There was also an increase in business and profits for the year ending March 31, 1928. Thus the electric plant is making progress in spite of the odds against which it has struggled. The bonds are being paid off by means of a 12 mill tax levy while the operating surplus is being kept intact for emergency use. During the year just closed there has been an

¹⁷¹ A strongly biased account of the struggle for municipal ownership is contained in Carl D. Thompson's *Maquoketa—City of Light and Power* in *Public Ownership*, Vol. VI, June, 1924. See also *American Municipalities*, Vol. XLIX, p. 15.

increase in the amount of current sold with a decreased operating cost. The private company's franchise has twelve years to run — a considerable time before the municipal plant can hope to have 100 per cent of the business.

A daily log sheet of the plant operations is kept. From it Mr. Thorne prepares charts which show him at a glance the cost and output trend.

The Water Plant.—The municipal waterworks and electric plant are housed in the same building. The old steam equipment is constantly ready for emergency use, but the bulk of the pumping is done by electricity. The supply comes from a well fed by a filter gallery. The water rates start at twenty cents per thousand feet and soon drop to ten cents. While there are no water bonds outstanding and there is a surplus in the water fund, this is largely due to the fact that the pumping power is derived from the municipal electric plant without charge to the water fund.

A man now devotes his whole time to repairing water meters. Many had stopped recording thus depriving the city of considerable revenue. This move saved the purchase price of new meters in addition to materially increasing the revenue.

The collection of water and light bills is accomplished in a very systematic manner. Customer ledgers are zoned in such a manner that the clerk can copy from the meter reader's book which is in direct rotation with ledger arrangement. An addressograph mails all bills so that now two hours will accomplish work formerly requiring two weeks.

MOUNT PLEASANT

The history of the city manager plan in Mount Pleasant is largely the story of the successful operation of munic-

ipally owned utilities. T. W. McMillan, who had been superintendent of public works for a quarter of a century, was given the title of city manager by ordinance in 1916. At one time he was also street commissioner, but since April, 1927, his only activity outside of the utilities has been to act as superintendent of parks. In view of these facts it is very doubtful whether Mount Pleasant should be classified as a city manager city, but since there is an ordinance establishing the office of city manager,¹⁷² it seems necessary to place it in that classification.

Mr. McMillan gained his technical training largely through practical experience. He began his career in the employ of the private company that operated the local light plant back in the closing years of the nineteenth century. When the city took over its operation Mr. McMillan became a municipal employee and has worked for the city ever since. He now receives a salary of \$2400 per year.

The Electric Plant.— This utility was bought by the city from its private owners in 1898. It had its origin in an old grader factory in 1894, was run by the gas company for about three years, and then became municipal property for an outlay of \$9000. No bonds were ever issued. The \$9000 was paid out of profits and not one cent of the magnificent plant of today has come out of the taxpayer's dollar. Indeed, an electric light surplus has of late years contributed toward the relief of the taxpayer in many ways. In 1927 the utility surplus contributed \$4000 to the general fund and paid off \$6000 worth of library bonds. In 1926 an entirely new building was erected to house the electric and water departments and in 1927 a new generating unit was installed without resort to bonded indebtedness.

¹⁷² The city manager ordinance is contained in the *Mount Pleasant Revised Ordinances*, 1927, Ordinance No. 11, p. 20.

The generating department consists of a new Murray uniflow engine, 28 by 30, connected to a 625 K. V. A. Westinghouse generator; and a Corliss engine 20 by 36, connected to a 400 K. V. A. Westinghouse generator. When questioned as to why his new unit was not of the turbine type, Mr. McMillan replied that his load was not large enough to warrant the installation of spray pond equipment required for efficient turbine operation. He feels that the Murray uniflow is just as efficient as a turbine operated without this additional equipment. Either generator is now fully capable of carrying the load at the peak. The city formerly operated an electric equipment store, but this has been abandoned. On April 1, 1928, the light fund had a surplus of \$28,927.98.

The rates for light start at ten cents per kilowatt for the first 25 kilowatts and are gradually stepped down until all over 80 kilowatts pay six cents. There is a minimum charge of one dollar per month and a discount of 10 per cent for bills paid by the twentieth of the month. Power rates start at eight cents per kilowatt for the first 25 kilowatts, the next 175 at five cents, and all over 200 at $4\frac{1}{2}$ cents. Cooking rates are five cents per kilowatt for the first 100 and all over 100 four cents, with a minimum cooking rate of \$2.00 per month.

The Waterworks.—The public water supply of Mount Pleasant was started by private interests in 1884. Four years later the city bought the plant which consisted of a system of pumping water from a dammed creek. The pond soon filled up with mud and the city put down wells in an extensive sand bed which still serve as a source of supply, supplemented by an 1800 foot well recently put down at the electric plant site. Thus an adequate water supply is assured for some time to come. There is now no debt against

the waterworks which, on April 1, 1928, carried a surplus of \$10,760.58.¹⁷³

The Ice Plant.— In 1922 the city of Mount Pleasant built an artificial ice plant. This was a paternalistic step dictated by dire necessity. It seems strange that no private concern was willing to risk capital in the enterprise of furnishing clean and pure ice on reasonable terms to the large county seat community, yet such appears to have been the case. For years only pond ice of questionable purity was available, and the prices were occasionally extortionate.

The municipal ice plant is housed in a new building adjacent to the electric plant and waterworks. It was built by money borrowed from the electric fund, every cent of which has been repaid. A monopoly on local distribution is given to a private individual who buys ice from the city at \$4.50 per ton and sells it at \$10.00. Anyone may buy ice at the plant by paying the retail price. The city of Mount Pleasant is now supplying ice to almost all of Henry County, farmers and residents of other towns coming from many miles around for their supply. On July 30, 1927, the ice fund carried a surplus of \$12,010—in addition to completely paying for the plant in five years.

Streets.— Mr. McMillan formerly had supervision of streets and sewers. In the spring of 1927, however, the creation of the office of street commissioner relieved him of these duties. The writer has been informed that certain dissatisfied citizens were jealous of the authority possessed by the city manager and sought to restrict his authority, but the manager states that he has all he can do with the utilities and that he has tried to be relieved of his street and sewer duties for years. The new council elected in 1927 was

¹⁷³ Report of city treasurer for the year ending April 1, 1928.

the first one to afford him such relief. It seems, however, that some citizens at least feel that there were some political influences behind Mr. McMillan's abdication of his street duties. One city official informed the writer that the streets, sewers, and alleys would probably be shortly returned to the city manager's supervision. Mr. McMillan is still called upon to furnish his technical services in making surveys for sewers and sidewalks, and laying grades of all kinds.

It is interesting to note that when Mr. McMillan was in charge of streets he frequently paid that department's employees out of the electric fund surplus.

Parks.—The city manager is superintendent of parks under the city council, there being no independent park commission. The parks are Mr. McMillan's hobby or avocation. He is especially proud of Saunders park, a tract covering several acres, which combines a tourist camp and recreation grounds for residents. It contains paved drives, well kept lawns, and very extensive playground apparatus including a swimming pool. Spacious comfort stations are provided for the convenience of the tourist campers. The citizen of Mount Pleasant has again to thank the reliable electric fund surplus for aiding in the creation of a park that must surely be a matter of pride for all.

Accounting.—The general accounting is performed by the city clerk who is a part time employee, but the utility accounts are kept by the manager with the help of a woman assistant. Mr. McMillan says that the key to successful operation of municipally owned utilities is the keeping operating cost records and keeping the management out of politics. Consumers pay their bills at the plant office from which all statements are mailed.

Conclusion.—Although the Mount Pleasant city manager's powers are considerably restricted as compared to those of the ideal manager, the observer will usually conclude that here is a piece of public management worthy of the student's notice. Many questions suggest themselves. Why does Mount Pleasant own her light plant and contribute from its profits each year to municipal activities ordinarily supported by taxes when the majority of cities of her class have abandoned such plants? Why was no individual willing to furnish clean and pure ice in Mount Pleasant when the city has been able to pay for a plant and accumulate a surplus of \$12,000 out of the profits of five years?

RED OAK

Red Oak adopted the city manager plan by ordinance in 1922. The first manager was C. D. Forsbeck who resigned in the spring of 1924. He was succeeded by the present manager, Arthur E. J. Johnson, a civil engineer formerly residing at Creston, Iowa, and a graduate of the State University of Iowa. Mr. Johnson has established an enviable technical reputation through his several years of experience in all phases of municipal engineering.

The city manager is hired by contract for two years, but this contract can be terminated for cause by either party on thirty days notice. Mr. Johnson now receives a salary of \$3300 per year and the use and maintenance of a municipally owned automobile.

City Clerk.—The city manager is also city clerk. He attends all council meetings and is in general charge of all clerical work of the city. He also acts as clerk of the board of review. The office work is largely handled by an assistant.

City Engineer.—The city manager is also city engineer. It is estimated that this arrangement saves the city at least \$1000 per year in engineering fees, not to speak of the many economies that can be devised by a good technical man who is permanently on duty.

Municipal Finance.—The municipal debt is being rapidly reduced. There are no general or judgment bonds outstanding. In 1923 there were \$5989.91 of grading bonds which have now been reduced to \$2000. In 1923 paving deficiency bonds amounted to \$25,451.25 but these have been reduced to \$12,400. At that time the waterworks was \$22,000 in debt but this had been reduced to \$6000 by March 31, 1927, and was entirely paid by April 1, 1928. On January 1, 1926, \$125,000 of 6 per cent special assessment bonds were called and refunded at $4\frac{3}{4}$ per cent, thus saving a considerable amount of interest.

Under Mr. Johnson's management the city has operated without a deficit. It had formerly been the habit to carry over a considerable net deficiency at the end of each fiscal year. Mr. Johnson was able to end his first year with a net cash balance of \$21,172.25. He was also able to save the city his salary for many years by asserting the city's rights to shift on to the county the construction and maintenance of certain bridges—an expense formerly inadvertently borne by the municipality.¹⁷⁴

The tax rate has not been reduced during the city manager period. Various improvements voted by the people and council have necessitated the raising of more money. The manager has actually decreased expenses in the matters under his control, however. The city manager does not have the purchasing power that managers possess in

¹⁷⁴ The financial report for March 31, 1927, appears in *The Sun* (Red Oak), April 29, 1927.

charter cities. In Red Oak he can spend money only for incidental expenses including freight, express, office supplies, etc., the cost of which does not exceed five dollars. All other purchases must have the authorization of the council in which body he has no vote. He furnishes a bond of \$10,000.¹⁷⁵

Parks.—The city manager is engineer for the park commission. A distinctive feature of the park system is a swimming pool built and financed by the American Legion which turned it over to the city. It covers an area 120 feet by 240 feet and was constructed at a cost of \$8000.

The Waterworks.—Under the city manager régime the water supply has been made practically 100 per cent accessible to Red Oak homes and every consumer has been furnished a meter. The water supply is all secured from wells with an emergency pump at the river. Mr. Johnson was recently able to construct a second emergency plant at Legion Park at a considerable saving over one built several years ago. Another technical economy resulted in a saving of \$750 per year in power cost by the installation of a pumping change involving an outlay of \$400. The waterworks system is entirely free of debt.

The Cemetery.—The city manager is sexton of the cemetery. Each lot owner may pay \$50 into the perpetual care fund in lieu of a two dollars per year upkeep fee. All new lots sold must be put under perpetual care, the total funds for which now amount to \$23,650.

Health.—The manager is secretary of the local board of health. He posts quarantines, removes health nuisances,

¹⁷⁵ Editorial in *The Red Oak Express*, March 17, 1927.

causes weeds to be cut, and enforces the milk inspection ordinance.

Fire and Police.—The Red Oak fire department is under the supervision of the manager. Two full time drivers live in the fire house with their families. The foreman of the water department also lives there with his family and answers night fire calls. A part time chief and twenty-three volunteers complete the roster. Two trucks are constantly ready to answer both city and farm calls, although the municipality receives no compensation for the latter.

When the fire department was first turned over to the city manager there was considerable friction. The old volunteer company had been a law unto itself for many years. Rather than submit to the manager's authority the company disbanded and split up a large fund it had accumulated over a long period. A recent reorganization has contributed to both the morale and efficiency of the entire municipal organization.

The mayor still has entire control of the police and possesses the legal authority to issue most licenses, but he and the manager coöperate in such matters. The city manager issues cigarette licenses.

Streets.—The manager is both street commissioner and city engineer. He has complete charge of hiring street labor and drawing up plans and specifications. He also has charge of sewers, alleys, and all public buildings.

The Council.—One Red Oak councilman was hesitant in running for office because he thought that he would have to incur the enmity of his business customers by decisions he would have to make in his official capacity. He finds, however, that under the city manager plan the responsibility

rests upon the manager, and his business has actually increased. Another councilman said that he would not take the position if he had to devote to it the time necessary under the old committee system. In Red Oak standing committees do not function, although special committees are appointed from time to time.

The 1927 Election.—The city manager plan was a distinct issue in the municipal election of March 28, 1927. An opposition slate known as the citizens' ticket advocated a return to the former system by hiring a clerk to perform the manager's duties at a much smaller salary. The Republican ticket favored the city manager plan. It was pointed out that the hiring of a cheap clerk and the abolition of the city manager would result in additional expense rather than economy, because the city would be forced to hire a waterworks superintendent, city engineer, and other technical services now furnished by the manager. Moreover, cheap help was said to be expensive in that it would not be able to discover and check the leaks as does a city manager. The result of the election was favorable to the retention of the city manager by a vote of three to one.¹⁷⁶ When the writer interviewed citizens of Red Oak during his visit to that city in August, 1927, he was informed by a prominent attorney that the city had at that time the best government it ever possessed.¹⁷⁷

VILLISCA

Villisca, a city of 2044 inhabitants, adopted the city manager plan by ordinance in May, 1919. The first manager,

¹⁷⁶ *The Sun* (Red Oak), April 1, 1927; *The Red Oak Express*, March 31, 1927; *Public Management*, Vol. IX, p. 476.

¹⁷⁷ Manager Johnson has a very interesting description of the municipal government at Red Oak in *The Sun* (Red Oak), for April 30, 1926.

W. J. Oviatt, received a salary of \$1200 per year.¹⁷⁸ He had been a resident of Villisca and was a dairyman by occupation. F. C. Reese, the second manager, was formerly a merchant and city councilman and spent the early part of his life on a farm. He received a salary of \$1500 per year. Mr. Reese was also a local resident at the time of his selection. Edwin E. Jenkins succeeded Mr. Reese on April 7, 1928. His salary is \$1200 per year.

The Manager's Duties.—The city manager performs all of the duties of the city clerk. He also has charge of all work upon the streets, alleys, sewers, and public grounds and hires and fires the help necessary to perform these duties. He has charge of the municipal waterworks, subject to the supervision of the city council. The city manager also has general supervision of the cemetery. He supervises the fire department but the mayor retains control of the police.

The Waterworks.—Water is pumped from a well into a standpipe by means of Diesel power. The daily output is from 85,000 to 100,000 gallons, pumped at a cost of about \$1.00 per day. One man operates the plant subject to the supervision of the manager. He is appointed by the council upon the manager's recommendation. On March 31, 1927, there were water bonds outstanding amounting to \$12,000 with a balance in the water fund of \$1222.24 plus a separate balance in the water bond fund of \$2293.58. The city manager reads the meters and renders the bills. All consumers pay according to meter readings and property owners are required to make good all unpaid bills.

Taxation and Finance.—The debt of Villisca in 1920 was

¹⁷⁸ *Sixth Yearbook of the City Managers' Association*, 1919, p. 81.

\$56,395. In 1924 when Mr. Reese became city manager Villisca was in debt \$46,000, an amount that does not sound large, but which is nevertheless considerable for a municipality with only 2000 inhabitants. A plan was evolved and inaugurated which involved the levy of a special tax which would retire the indebtedness in twelve years. It took a great deal of courage to increase taxes, but a thoroughly harmonious council made the levy and put the plan into operation. Under the careful management of Mr. Reese, backed by an intelligent and coöperative council, the twelve year goal was practically reached in five years while at the same time a considerable sum was spent on sewer and water extensions and other improvements.

On March 31, 1927, the bonded indebtedness had been reduced to \$30,300 and there was available in the treasury a cash balance of \$20,519.43. The city manager pointed out in his annual report that the city council could safely reduce the 1927 tax levy at least 20 per cent and continue to build up a reserve fund that would pay off the city debt in three or four years. On the writer's visit to Villisca on August 18, 1927, Mr. Reese said that funds would be provided for the retirement of all bonds in 1928. This prediction was more than fulfilled. The city clerk's financial report for the year ending March 30, 1928, showed a cash balance in all funds of \$19,720.37 against bonds outstanding to the amount of \$13,200 — a net surplus of about \$6000. The operating expense of the municipality for the year ending March 31, 1927, was \$8.11 per capita, and for the year ending March 31, 1928, \$5.40 per capita, an amount claimed to be exceptionally low for cities the size of Villisca.¹⁷⁹

The Proposed Electric Plant.—The people of Villisca

¹⁷⁹ City clerk's annual report for the year ending March 30, 1927, and for the year ending March 30, 1928.

recently voted bonds to purchase a municipal electric plant. The private utility now furnishing service operates without either contract or franchise, so it was expected to give the new city plant a clear field without competition by means of ouster proceedings. A contract was let to the Fairbanks Morse Company for the generating equipment and to the Henningson Engineering Company for the distribution system in consideration of which these concerns agreed to accept bonds. Litigation brought by the incumbent power company sought to establish the illegality of the bonds. The Supreme Court of Iowa decided in April, 1927, that the bonds could be sold for cash when properly advertised but that it was illegal to trade them outright for the services desired.¹⁸⁰ The companies then returned the contracts and the bonds are in the hands of the city treasurer.

At the present writing it seems doubtful whether the city will go ahead with the utility project. Conditions seemed auspicious for a favorable compromise involving satisfactory rate guarantees with the utility company. The matter is mentioned here only because the city manager was one of the enthusiastic supporters of a municipal plant. The 1927 city election, however, returned a mayor and two councilmen who favored the retention of the private utility. Three old council members have remained, a number sufficient to keep a majority behind the manager, however. During the litigation electric rates are said to have been reduced considerably.

Conclusion.—Villisca is a very good example of what the city manager plan can do for a small city in an agricultural community. By paying a good salary, for that community, the city secured the services of one of her able men and saved money by spending money — a seeming paradox not

¹⁸⁰ Iowa Service Company v. Villisca, 203 Iowa 610.

yet understood in many small cities throughout the State.

WEST LIBERTY

The West Liberty city manager ordinance was passed and approved on February 3, 1920.¹⁸¹ C. J. Mackey,¹⁸² the first manager, had been mayor of West Liberty from 1910 to 1916. He is a man of varied experience. As a young man he spent several years as educator and supervisor in the public schools of Kansas, and later engaged in the retail drug business. Mr. Mackey attributes much of his success as city manager to the experience gained in Washington, D. C., during the World War when he was in charge of the contract section of the general purchasing office of the surgeon general's office where medical, surgical, dental, and veterinary supplies were purchased for the camps and the A. E. F. When Mr. Mackey returned to West Liberty in the spring of 1919 the vacancy in the mayor's office was tendered to him. He felt the need of a vacation, however, and refused with the promise that he would accept if tendered to him again in the following autumn. He accordingly became mayor again in the fall of 1919, only to resign to spend the winter in California. He had no sooner arrived in California than he received a telegram from his successor as mayor asking him to become city manager of West Liberty, a position which he accepted upon returning early in the spring of 1920. He served in this capacity continuously until the fall of 1925 when he resigned that he might have leisure to visit and observe the Florida land boom and build himself a home in West Liberty.

¹⁸¹ A copy of the West Liberty ordinance is on file with the State Historical Society at Iowa City.

¹⁸² The writer visited West Liberty on July 11, 1927, when he was privileged to have personal interviews with former manager C. J. Mackey, Manager C. W. Burkart, A. L. Dice, and Mr. Inghram.

The city manager plan was not adopted at West Liberty because of any popular clamor for a panacea to cure official corruption and inefficiency. No such conditions existed. Things were going along in quite the ordinary, customary, or average fashion; but a group in the council felt that twelve dollar per year councilmen who had their own private business affairs to look after should be relieved of the details of administration which were then neglected or handled haphazardly by men whose primary interests were elsewhere. It is now felt that the manager more than saves his salary. There has been no organized opposition to him, although there have been the inevitable grumblings of those who think \$2000 per year a useless expense for such a purpose. The manager plan has been tried in West Liberty as a fiat of the council without appeal for popular support.

The annual report of the manager for the year ending March 31, 1925, just prior to Mr. Mackey's resignation, contains a list of notable achievements. In 1922 a 20 per cent discount for light bills had been inaugurated, saving rate payers a total of \$13,242.49. Since that date, moreover, no charge had been made for street lighting, saving taxpayers \$2000 annually. This had all been done while piling up a surplus in excess of the amount needed to retire the outstanding indebtedness. Many improvements and extensions had been added to the water system without resort to taxation. There was in the town treasury a cash balance in excess of all indebtedness amounting to \$3,349.04 as compared to a net indebtedness of \$34,000 in 1920, while the tax levy for municipal purposes had been reduced from 34 mills in 1920 to 19 mills in 1925. As a comparison the surrounding municipalities of Tipton, Wilton, and West Branch are alleged to have tax levies of 50.2, 42, and 33.9 mills respectively. It is declared that far more than two-thirds of the towns of West Liberty's size in Iowa "pay more than twice

as much town taxes, and but few have all the town property in the fine physical condition as has the town of West Liberty." On November 1, 1928, the treasurer's report showed a total net cash balance on hand of \$25,000, with a total indebtedness of only \$2000 — bonds outstanding which could not be paid until due.

Mr. Mackey was able to correct a troublesome question of cemetery finance by raising a perpetual care endowment fund. He sent thousands of letters to all parts of the world appealing to the kin of those buried in West Liberty for funds. As a result the municipal cemetery has a perpetual care fund of \$17,000 invested in bonds.

Mr. Mackey summarizes the achievements during his managership as follows:

1. Payment of the electric light bonds and interest without a tax levy.
2. Establishment of Oakridge Cemetery on a cash basis with an endowment of United States bonds.
3. Extensive repairs to sewers and pavement.
4. Greatly reduced tax levy.
5. All bonds and interest paid when due, with the conclusive demonstration that the municipal utilities can be maintained upon a cash basis.
6. The provision of a two unit water system.¹⁸³

C. W. Burkart, the second manager of West Liberty, succeeded Mr. Mackey in October, 1925.¹⁸⁴ He was a successful blacksmith and business man. He carried on the work of city manager successfully. Additional moneys and credits were discovered and added to the assessment rolls — a fact which may place the city manager plan in considerable disrepute in some quarters. Mr. Burkart liked to get out

¹⁸³ A copy of this report is on file with the State Historical Society at Iowa City.

¹⁸⁴ *Public Management*, Vol. IX, p. 277, gives this date as 1926, but C. J. Mackey corrected the manuscript to read 1925.

and work directly with the men under him. He felt that this enabled the town to get very much more for every dollar spent. On April 1, 1928, C. J. Mackey again became city manager of West Liberty.

The Municipal Electric Plant.— West Liberty owns its own distributing plant with an auxiliary Diesel unit which is used in case of emergency and during certain periods of the week. Several years ago the municipality had its own steam generating plant, but it became obsolete and, as the water conditions caused the rapid deterioration of boilers, it was found cheaper to purchase power wholesale from the high lines of the Iowa Railway and Light Company. The Diesel unit was originally purchased by money raised on notes signed by twenty business men. In the case of high line failure the municipal generating outfit can be carrying the load in less than three minutes. In addition to supplying the town with electricity, several farmers' high lines are served.

In 1927 there was \$24,000 in the light fund. After subtracting a \$9000 indebtedness there was still left a net surplus of \$15,000. This surplus was temporarily transferred to take care of a paving deficiency, the Budget Director's approval of such action having been secured upon assurance that this money would be promptly returned to the light fund. Since the Forty-second General Assembly made such transfers legal¹⁸⁵ the sentiment of the council is reported as favoring the permanent removal of this surplus to the deficiency fund. This is, of course, considered very poor policy by many observers of the best public utility practice. They have too often seen municipal enterprises go on the rocks because of inadequate provision for depreciation. Such action seems especially questionable in view of

¹⁸⁵ *Laws of Iowa*, 1927, Ch. 157.

the fact that the present West Liberty generating plant is barely able to pull the peak load. Manager Mackey feels that the generating capacity should be doubled by the addition of another Diesel unit to be purchased with the electric fund surplus, plus money borrowed from the perpetual care fund of the cemetery. This would obviate the necessity of asking the electorate to vote bonds.

The municipal electric plant has paid for all capital investment out of profits. In addition to this, the taxpayers of West Liberty have been relieved from paying for street lighting. Furthermore, about five miles of decorative boulevard lighting have been paid for out of the electric fund surplus. The municipal light and water funds together bear the burden of all municipal salaries except that of the marshal. The city manager receives \$2000 and the engineer \$1800.

Mr. Mackey declares in a recent letter that since April 1, 1927, the remaining bonds of the \$8000 put into the purchase of the Diesel engine in 1920 have been retired, and the treasurer's report on November 1, 1928, shows a balance of \$10,000.

L. J. Inghram, who is a practical engineer and electrician, has been in charge of West Liberty's municipal plants for a matter of twenty years. He constructs distributing lines, supervises the laying of water mains, reads both the water and light meters each month, installs and tests meters, and has general charge of the technical side of the water and light plants.

The block rates for electricity are stepped by the year instead of the month:

First 100 K. W. per year 12 cents gross, net after discount 9.6
Next 430 K. W. per year 10 cents gross, net after discount 8.
Next 500 K. W. per year 8 cents gross, net after discount 6.4
All after 1030 per year 6 cents gross, net after discount 4.8

The Water Plant.—The West Liberty municipal water-works possesses two deep wells operated by electric pumps. The water plant is free of debt and the entire equipment has been paid for without resort to taxation — this without payment for hydrant rent out of the general fund. All water main extensions and replacements have been paid for out of water receipts. During the past year the power house well was cleaned out and recased. The water fund has a surplus of \$3600, and the council has directed Mr. Mackey to give an additional 16 2/3 per cent reduction in water rentals.

The Municipal Organization.—The city manager is also town clerk. He is assisted in these clerical duties by a young woman who relieves him of much of the routine work. She collects the light and water bills, makes the bank deposits, makes out sewer permits, collects the poll and dog taxes, and keeps the municipal records and accounts.

The manager also acts as street commissioner and has general charge of the employment and direction of the men who work upon the streets. Although the mayor appoints the marshal, he is in fact subject to the orders and under the direction of the manager. All purchases are made by the manager. He has control of all municipal property and sees that all contracts for work done for the town are properly fulfilled. The manager has control over the municipal water and light plants. The fire department is largely run by volunteers who designate their own chief who is then approved by the council, but the manager is in a general way responsible for the care of the fire equipment. Indeed, the West Liberty ordinance is very inclusive. The manager's power embraces almost every municipal activity from the management of the utilities to the care of the cem-

etery. The writer was greatly impressed with both the outward physical aspect of the broad, clean, and well-paved and lighted streets and the evidences of solvency and sound management displayed by the official records.

UNSUCCESSFUL ATTEMPTS

There seems to have been considerable agitation for the adoption of the city manager plan in several of the municipalities of Iowa. In a few cases there have been elections at which the proposition has been rejected. No Iowa city has yet abandoned the charter plan, although several no longer operate under the ordinance plan which they were at one time reported to have adopted. Other cities are reported as having a city manager when as a matter of fact they merely have a manager of municipally owned utilities.

AGITATIONS

Des Moines.—In the winter of 1925-1926 W. F. Mitchell, commissioner in charge of streets, started an agitation for the adoption of the city manager plan in Des Moines. The newspapers took up the matter and obtained opinions from a number of citizens who were generally favorable to the plan. Upon the request of Mr. Mitchell, the legal department of the city rendered an opinion regarding the legal steps necessary to obtain its adoption.¹⁸⁶ This document, dated January 11, 1926, is signed by Corporation Counsel Reson S. Jones. It begins by restating the necessary steps leading up to the referendum and adoption, after which

¹⁸⁶ The story of this agitation is told in a letter to Benj. F. Shambaugh from C. A. Crosser, Secretary of the Bureau of Municipal Research of Des Moines, dated June 10, 1927, now on file with the State Historical Society at Iowa City. The *City Manager Magazine*, Vol. VIII, p. 57, contains the following:

“The Commissioner of Streets is suggesting the adoption of the city manager plan. A poll of 57 at a meeting of professional and business men showed 48 in favor, 6 opposed and 3 undecided.”

there comes a considerable discussion of the effect of the change upon the rights of civil service employees and upon the management of the Des Moines waterworks.

Firemen and police would, in general, be unaffected by the adoption of the city manager plan, because they are subject to civil service rules in both types of municipality, and Section 6684 of the *Code of 1927* extends to disabled and retired policemen and firemen under the manager plan the same pension rights they enjoyed before the change in form of government. Des Moines, being the only city in the State with the commission plan and a population in excess of 100,000, is also the sole Iowa municipality with a statutory merit system extending outside the police and fire departments.¹⁸⁷ It is said that "the principle of Civil Service has been extended to include practically all classes of municipal employes" in Des Moines.¹⁸⁸ The corporation counsel expressed the opinion that by the adoption of the city manager plan "the Chief of the Fire Department would lose his Civil Service rights. All matrons, janitors, clerks, stenographers and secretaries of the police and fire departments would also lose their Civil Service rights, and at the same time the protection of Civil Service would be removed from all other departments to which that principle has heretofore been extended."¹⁸⁹

It seems that the people of Des Moines are well satisfied with the administration and management of the municipal waterworks under the existing independent water board. The corporation counsel's report points out that this system of running the waterworks would have to be abandoned

¹⁸⁷ *Code of 1924*, Sec. 5694.

¹⁸⁸ Report of the corporation counsel of Des Moines to Commissioner Mitchell, dated January 11, 1926.

¹⁸⁹ Report of the corporation counsel of Des Moines to Commissioner Mitchell, dated January 11, 1926.

in favor of direct management by the city manager, if that form of government should be adopted.

This opinion discouraged the advocates of the plan for the time being. During the sessions of the Forty-second General Assembly in 1927 Mr. Crosser drafted several bills that would meet these objections. Under the amendments proposed, terms of the library board, civil service commission, waterworks trustees, city plan commission, play ground commission, and comfort station commission would have remained as they were. A small compensation for councilmen would have been provided. Election by voting machines would have been permitted. The law was to be changed to allow the municipal court to remain as it is without the appointment of a police judge as required by the existing city manager law. The water board was to retain its independence of the city manager. Another section of the proposed law would have made certain changes in the merit system for the fire and police departments.¹⁹⁰ The apparent absence of support from civic bodies and general lack of interest, however, led backers of the agitation to refrain from pressing the matter before the legislature.

Sioux City.—The *City Manager Magazine* for January, 1924, carried the following communication from Sioux City: "We are advised by Mr. Edwin J. Stason that a city manager campaign will probably be put on in Sioux City within the next few months." The issue of the same periodical for the following May said that the activities of the Sioux City city manager club had been suspended until after the regular city election. No further evidence of the Sioux City agitation has come to the writer's notice and three

¹⁹⁰ Letter from C. A. Crosser to Commissioner W. F. Mitchell, dated February 9, 1927. A copy is on file with the State Historical Society at Iowa City.

years later that city is still operating under the commission form of government. Apparently interest in the movement was not sufficient to justify an election.

Davenport.—Petitions asking for an election on the question of adopting the city manager plan were circulated in Davenport just before the regular city election in 1922. Apparently there was lack of support. At least the petitions were withdrawn and the matter never came to an election.¹⁹¹

Muscatine.—The *City Manager Magazine* for January, 1925, contains the following communication: "Mr. D. B. Mackenzie, a member of the city council of Muscatine has written to our office requesting information on the city manager plan of government looking towards its adoption by the city of Muscatine, which has a population of 20,000." Mr. Mackenzie informs the writer that there really was considerable sentiment in favor of the plan while he was a member of the Muscatine council, but that no one seemed to know just what steps to take to put the adoption machinery in motion. Muscatine is a special charter city and someone seems to have suggested that there was no special authority for such municipalities to adopt the city manager plan. The *Code of 1927*, Section 6783, however, grants such cities authority to adopt the city manager plan; and authority to resume the special charter, if so decided by the electorate after a six year trial of the manager plan, is contained in Section 6687. The question never came to a vote in Muscatine. The affairs of the city seem to be at present administered in such a manner as not to stir up any popular resentment. Norman Baker, owner of radio station KTNT

¹⁹¹ Letter from Alfred C. Mueller, former mayor of Davenport, dated June 27, 1927, now on file with the State Historical Society at Iowa City.

of Muscatine, started a radio campaign to adopt the city manager plan in August, 1928.¹⁹²

Shenandoah.— According to an item in the *City Manager Magazine* for April, 1925, the Chamber of Commerce of Shenandoah voted unanimously in favor of the adoption of the city manager plan by that city. A communication from a resident of Shenandoah, however, dated June 11, 1927, explains that the Chamber of Commerce did not follow up any movement for the establishing of the city manager plan and the matter was dropped. He adds, "There seems to be no interest pro or con."¹⁹³

Cherokee.— Sometime during 1925 there was some agitation for the adoption of the city manager plan in Cherokee, but the matter was soon dropped because it was "thought that it would entail quite a higher rate of salary for such an office and perhaps would not be much better than we are now doing, and as there was not enough public interest to go on with the plan at that time it was dropped."¹⁹⁴ This report was made in June, 1927.

Cedar Rapids.— It was reported that petitions for a city manager election were being circulated in Cedar Rapids during the first half of 1925, but there was no election, and Cedar Rapids is still organized under the commission form of government.¹⁹⁵

¹⁹² Letter from D. B. Mackenzie to the writer, dated June 10, 1927, now on file with the State Historical Society at Iowa City; letter from Norman Baker in reply to a letter sent him by the writer on August 28, 1928.

¹⁹³ Letter from J. B. Archer, dated June 11, 1927; *City Manager Magazine*, Vol. VII, p. 37.

¹⁹⁴ Letter from the city clerk of Cherokee, dated June 10, 1927; *City Manager Magazine*, Vol. VII, p. 33.

¹⁹⁵ *City Manager Magazine*, Vol. VII, pp. 33, 37, 45.

Miscellaneous.— There appears to have been some agitation for the manager plan during a recent city election at Storm Lake, but the mayor informs us that the matter was never placed before the council to his knowledge. Individuals at Stuart and at Bedford are reported to have studied the plan.¹⁹⁶ The writer does not doubt that there have been many other more or less serious agitations in Iowa, but the facilities at his disposal did not permit of a more thorough examination into these movements.

REJECTIONS

Only three cases where the charter city manager plan of municipal government has been rejected at the polls in Iowa have come to the attention of the writer — at Iowa City on February 14, 1921; at Waterloo on February 27, 1922; and at Burlington on March 31, 1924. There may, however, have been other rejections. A definite statement is difficult because the law does not require a report to the Secretary of State when the polls have ruled adverse to adoption.

Iowa City.— The official records at the city hall show that the voters of Iowa City rejected the city manager plan at a special election held on February 14, 1921, by a vote of 1277 for the plan and 1866 against it. The campaign seems to have been quite spirited. Full page advertisements representing both sides appeared in the *Iowa City Press-Citizen*. The issue of February 11th contained a half page advertisement headed "Government by Deficit" and signed by "The Commission-Manager Campaign Committee" composed of ten prominent citizens. Only two of these were directly connected with the University. They pointed out, among other things, that Iowa City was going in debt at the

¹⁹⁶ See letter from the mayor of Storm Lake on bottom of writer's letter to him dated June 8, 1927; *Public Management*, Vol. IX, p. 330; *City Manager Magazine*, Vol. VII, pp. 41, 43.

rate of \$26,000 per year; that \$337,000 of Iowa City's outstanding indebtedness represented money borrowed to pay for overdrafts and deficits in the regular running expenses. The statement also told how similar conditions had been corrected by city managers at Dubuque and Dayton, Ohio. On the opposite page appeared a full page advertisement signed by about two hundred business and professional firms. The basis of their objection was the probability of increased taxes. The usual hue and cry of "Czar", "King", and "one-man rule" was raised to bewilder and frighten voters. Professor F. E. Horack published in the *Daily Iowan*, University newspaper, for February 13, a letter explaining and supporting the city manager plan. An advertisement in the *Iowa City Press-Citizen* of February 12th declared that the city manager plan was being saddled upon the city by the extension division of the University. A debate held between students just prior to the election was presented as evidence of this design.

The returns of the election disclosed a ratio of 3 to 2 against the plan. Out of a registration of 5965, 3147 voted — a ratio slightly in excess of 50 per cent. The *Iowa City Press-Citizen* maintained a rather neutral editorial policy. While at times it seemed friendly toward the plan, it refrained from open advocacy. There has apparently been no agitation since that time, although it has been intimated to the writer that certain members of the former opposition party would now probably favor the adoption of the plan.

Waterloo.— The city manager plan was defeated by a vote of 4351 to 4256 at a special election held on February 27, 1922.¹⁹⁷ The day was extremely cold and the vote cast numbered only about 50 per cent of the registration. The election occurred toward the end of an administration char-

¹⁹⁷ *Waterloo Evening Courier*, February 28, 1922.

acterized by charges of corruption and protection of vice. The mayor had resigned under fire after the institution of an investigation by State officers, who were supposed to have Cosson law removal proceedings in view, according to an account in the local paper.¹⁹⁸

The *Waterloo Evening Courier* adopted a policy of aggressive and open advocacy. It gave freely of its space in reporting all aspects of the campaign. On February 21st, Charles Closz, a Webster City manufacturer, is quoted as saying: "We believe where a competent manager is employed, who is allowed to use his best judgment, about how things should be done, regardless of politics, it is a fine form of government, but if he is hampered by a lot of politicians, it is no better than the old form."¹⁹⁹ On the following day the paper mentions A. A. Cooper, proprietor of the Hotel Julien Dubuque at Dubuque, as being strongly in favor of the manager plan.²⁰⁰ The opposition quoted from a newspaper formerly published in opposition to the city manager plan at Webster City, admitting lower taxes, vanished indebtedness, and other economies at that place, but claiming the credit was due to the old government of six years ago.²⁰¹ On February 25th, the Saturday before the election on Monday, the *Evening Courier* bore a full column first page plea for the adoption of the city manager plan. On the day of the balloting the *Evening Courier* contained the following statement: "At the close of a campaign unique among local political battles in being conducted almost wholly in print with comparatively few public meetings and no parades or red-fire, the absence of these stimulants to public interest was apparent in the comparatively poor

¹⁹⁸ *Waterloo Evening Courier*, December 10, 1921.

¹⁹⁹ *Waterloo Evening Courier*, February 21, 1922.

²⁰⁰ *Waterloo Evening Courier*, February 22, 1922.

²⁰¹ *Waterloo Evening Courier*, February 21, 1922.

response at the polls."²⁰² It was the first election in which Waterloo women voted on a matter of local policy. The advocates of the plan had brought their campaign to a close on Saturday night. The opponents got in their final blows on Sunday. B. F. Swisher, former city solicitor, delivered an opposition address to a packed house at the First Congregational Church on Sunday night.²⁰³ He condemned the newspapers for their "vilification" of past city officials, and read a list of prominent men who had served on the council and who, he said, had been under fire, by implication, in the campaign. These men, he declared, built the present great and prosperous city of Waterloo. Mr. Swisher also repeated the arguments he had used against the manager plan in previous speeches.²⁰⁴

The *Evening Courier* of February 28th attributed the result largely to the extreme cold which kept many women away from the polls. "The nearness of the regular municipal election, with prospective candidates for office already being talked, had much to do with preventing sentiment for the change to crystallize."

The result was in doubt up to the counting of the last ballot. The manager proposition carried the first and second wards, while the opposition carried the third and fourth wards. An editorial in the same issue of the *Evening Courier* expressed regret at the results but took the defeat in good spirits. "The election was most disappointing in that a great proportion of the electors failed to express an opinion either way by means of the ballot, the safeguard of democracy — a term which was dragged into the campaign by flag-wavers. Too often persons expressed preference for the city manager plan of government by voicing

²⁰² *Waterloo Evening Courier*, February 27, 1922.

²⁰³ *Waterloo Evening Courier*, February 27, 1922.

²⁰⁴ *Waterloo Evening Courier*, February 27, 1922.

the belief that 'it might be a whole lot better and certainly could be no worse' than the present system. Doubtless, too, persons who thought they were disinterested in the matter concluded in their minds that the 'same old gang' will run things anyway, so what's the use of going to the polls. This lethargy, this apathy, found its demonstration in the comparatively light vote—a vote that, as before said, was not wholly satisfactory to either side."²⁰⁵ The deciding factor seems to have been the superior organization of the opposition forces.²⁰⁶

Burlington.—The charter city manager plan was rejected at the polls in Burlington on March 31, 1924, by a vote of 7015 to 2659.²⁰⁷ Many local conditions were contributing factors in the failure to place the advantages of this form of city government before the voters.

Although on different occasions prominent individuals and civic groups in Burlington had discussed the possibility of changing the local form of government from the mayor-commission plan to the city manager type, it remained for E. A. Florang, a well-known manufacturer, to launch the campaign by publishing a signed letter in the *Burlington Hawk-Eye* and the *Burlington Gazette*, inviting the public to attend a meeting at Remey Hall on the evening of October 12, 1923, to discuss the city manager form of government. At this meeting nearly three hundred representative citizens heard Mayor James Alderson of Du-

²⁰⁵ From an editorial in the *Waterloo Evening Courier*, February 28, 1922.

²⁰⁶ Letter from Arch W. McFarlane, dated June 15, 1927.

²⁰⁷ Letter from Ben. P. Poor in reply to inquiry of December 20, 1927. The account of the campaign and election at Burlington is based on a file of newspaper clippings from the *Burlington Hawk-Eye* and the *Burlington Gazette* in the possession of the Greater Burlington Association. Access to this file was secured through the courtesy of C. W. Bond, Secretary of the Greater Burlington Association.

buque explain the successful operation of the city manager plan at Dubuque.

Following this meeting an organization was formed with Arthur Schwerin as president and T. M. Hume as secretary to promote the project at Burlington. Petitions were circulated and signed by 2125 voters asking the city council to call a special election to decide whether or not Burlington should adopt the city manager plan of government.

The *Burlington Hawk-Eye* supported the project, but the *Burlington Gazette* opposed the proposed change on the grounds that no emergency existed in Burlington for throwing out the commission form of government and experimenting with the manager type. From the outset Mayor Thomas J. Smith and other city officials took a firm stand against any change. "Think before you leap", Mayor Smith warned the people of Burlington. Labor organizations in the city gave their support to the mayor and city officials. On the other hand the Burlington Council of the United Commercial Travelers endorsed the project as did many leaders of the Greater Burlington Association, the Women's Bureau of the Greater Burlington Association, and other local organizations. The *Iowa Labor News*, an organ of organized labor in Burlington, opposed the plan.

On the evening of October 25th the Federated Labor Council of Burlington held a meeting at Remey Hall at which E. A. Florang and Dr. F. A. Roe spoke in favor of the proposed city manager plan and Mayor Smith and Frank Canny, superintendent of the department of finance of the city administration, argued for the retention of the commission type. An interested and enthusiastic audience taxed the capacity of Remey Hall on this occasion.

Throughout October and November much publicity was given the question in the columns of the local newspapers. At a meeting held November 21st the Federated Labor

Council passed a resolution opposing any change of government in Burlington and empowering a campaign committee to work to this end. President R. W. Robinson of the Council appointed on this committee Lou Head, R. J. McAnally, E. B. Sipes, Charles Turner, and Ed Criner.

Meantime signing of the petition by those favoring a change continued. Although more than a sufficient number of signatures was secured before the first of the year, those in charge of the campaign did not file the petition when this goal was reached as they wished to hold the special election at the time of the city election on March 31st. Opponents of the proposition hoped to force the election to be held at the time of the city primary on March 14th. To this end the city council on February 14, 1924, passed a resolution calling upon the committee in charge of the city manager movement to file their petition with the city clerk before noon on February 15th. This resolution, however, was ignored by the committee, and on March 19th, two days after the city primary, the petition was filed. It contained a total of 2125 signatures, some three hundred more than the required number.

Thereupon the campaign entered its final stages. Both groups became very active. Proponents of the measure brought in Walter J. Millard, field secretary of the National Municipal League, to campaign for the city manager plan. Both daily papers devoted much space to the question. On the evening of March 28th those in favor of the plan held a final rally at Military Hall while opponents of the measure held a similar meeting at the M. W. A. Hall.

On election day, March 31, 1924, the proposal met defeat at the hands of the voters as already indicated. Proponents of the measure found the opposition of the mayor and city officials, labor organizations, and one of the local dailies too powerful a combination to overcome.

ABANDONMENTS

No Iowa municipality has as yet abandoned the charter form of city manager organization. The question came up at a special election in Webster City but the result was decidedly adverse to change. It was reported that petitions for an abandonment election were being circulated in Dubuque in the spring of 1927,²⁰⁸ but no election on the matter has so far been held. Several smaller cities and towns reported as having a city manager at one time no longer have one.

The State Auditor's report for 1914 reported Bloomfield and Chariton, along with Clarinda and Iowa Falls, as among the four cities which were operating under the extra-legal city manager plan prior to the enabling act of 1915.²⁰⁹ The same report for 1917 stated that "Bloomfield and Chariton have tried the manager plan, but after a short experience returned to the old plan."²¹⁰ The same report reported Sac City as operating under the ordinance manager plan. Sac City soon disappeared from the list and the writer has been unable to learn anything about that city's brief experience with a manager.

Grinnell.—In September, 1916, the city of Grinnell created the office of city manager by ordinance.²¹¹ This ordinance leaves it optional with the city council whether a manager shall be appointed. If one is appointed there shall be no appointment of the officers whose duties he is to perform. In case no manager is selected these officers shall be appointed as usual. This ordinance is still in force but

²⁰⁸ *Dubuque Telegraph-Herald*, April 10, 1927.

²⁰⁹ *Annual Report of the Department of Finance and Municipal Accounts*, 1914, p. ix.

²¹⁰ *Report on Municipal Finances* (Iowa), 1917, p. viii.

²¹¹ *Grinnell Revised Ordinances*, 1917, p. 7.

Grinnell operated under a city manager for only a few brief months. On September 15, 1916, S. H. Crosby was appointed city manager. He continued in office six and one half months, until March 31, 1917. In the regular election of that year a candidate for mayor campaigned on the issue of doing the manager's work himself, and thus saving the city three hundred dollars per month — an item of expenditure that many thought to be useless extravagance. The election resulted adversely to the further employment of a city manager.²¹²

Anamosa.—Anamosa is reported to have adopted the city manager plan by ordinance in May, 1919. W. F. Hathaway, formerly combination city clerk, water commissioner, and marshal, was reported to be the new manager. He was 37 years old, experienced in public utilities, and had served as captain in the army.²¹³ A letter addressed to the city clerk on August 7, 1926, however, was returned with the following unsigned notations at the bottom: "We have no ordinance which provides for a city manager. Anamosa never had a city manager." The writer has since made a personal visit to Anamosa and the communication of the clerk has been confirmed by an interview with a member of the city council in 1919. Mr. Hathaway was merely a city clerk who enjoyed the confidence of the administration which at that time delegated to him considerable authority.

Alta.—The *City Manager Magazine* for April, 1923, carried the following communication: "The Manager plan was adopted by ordinance in Alta, in 1920. The present in-

²¹² For this information regarding Grinnell the writer is indebted to Mrs. Eugene Henely, see letter dated June 14, 1927, on file with the State Historical Society at Iowa City; and Mayor W. G. Ray, see letter dated June 17, 1927, on file with the State Historical Society at Iowa City.

²¹³ *Sixth Yearbook of the City Managers' Association*, 1920, p. 81.

cumbent is William Zeilman, who was appointed to the position April 1st, 1922. He receives a salary of \$750 per year."

Alta is no longer carried as a manager city upon the official list of the City Managers' Association, nor in the official reports of the State of Iowa.

Fredericksburg.—*Public Management* for September, 1927, says: "The city council is reported to have passed an ordinance setting forth the duties and salary of a city manager, the office to be established at such time as the council sees fit to do so." Correspondence with Fredericksburg remains unanswered so that the report of the existence of a city manager at that point is unconfirmed. The town had a population of 662 according to the State census for the year 1925.

QUASI-MANAGERS

There are a few cities in Iowa that are occasionally reported as having city managers, but which in reality have only managers of public utilities, or which have hired men to take over the supervision of certain municipal functions without enacting an ordinance prescribing their duties. We have coined the phrase "quasi-manager" to apply to this class of city.

Newton.—Newton has by ordinance established the position of manager of utilities.²¹⁴ He has general supervision and control over all matters pertaining to the maintenance, extensions, and operations of the gas works, and municipal waterworks. He is appointed by and is under the direction of the council and apparently has no authority outside the gas plant and waterworks.

²¹⁴ *Ordinances of the City of Newton, 1925, p. 18.*

New Hampton.—New Hampton has no city manager ordinance. F. B. Strike, city clerk, has been in charge of the municipal waterworks and light plant at that city for 26 years. In reality he is probably a *de facto* city manager without *de jure* recognition as such. He would seem to be a more important personage than some who bear the official title of city manager.²¹⁵

Fairfield.—Fairfield has a superintendent of public works who is not a city manager.²¹⁶ No further information is available.

Cedar Falls.—Cedar Falls has a manager of municipal utilities, but he is not a city manager with other municipal functions under his control.²¹⁷

Estherville.—Estherville has for several years had a superintendent of its three municipal utilities — water, gas, and light. This man has gained some recognition as a city manager and has for some time been reported as such in the City Managers' Association official list.²¹⁸ As a matter of fact, however, Estherville has no city manager ordinance and has no city manager. This information comes from the city clerk both by direct letter and through correspondence with third parties.

Algona.—Algona is sometimes reported as being a city manager city. All the information available indicates that Algona merely has a superintendent of public works in

²¹⁵ Letter from F. B. Strike, dated June 10, 1927, now on file with the State Historical Society at Iowa City.

²¹⁶ From notations typed on a letter sent to the city clerk of Fairfield, December 21, 1926, and returned annotated but unsigned.

²¹⁷ See annotated reply on bottom of letter sent to city clerk December 21, 1926.

charge of the municipally owned utilities in the community.

SUMMARY

In a study of this kind it is difficult to refrain from assuming the rôle either of protagonist or opponent. Some readers may feel that the writer has been too much the advocate in the preceding pages and not sufficiently critical. It can only be said in response that the student of political science welcomes any experiment that offers the promise of using technically trained experts in the management of local affairs. To determine just how far this has been done will be the aim of the following pages. It is hoped that they may convey some fairly definite evaluation of the general results of city manager government in Iowa.

THE CITY MANAGER PLAN AND MUNICIPAL FINANCE

Probably the leading question in considering the advisability of adopting the city manager plan is: "Will it save money?" Adoption campaigns have practically without exception found the advocates claiming that the employment of a city manager would result in cheaper operation, reduction of the debt, and in some cases tax reduction. A ready answer is found in the words of Director L. D. Upson of the Detroit Bureau of Municipal Research, one of America's foremost students of municipal administration. Dr. Upson states that the inauguration of a city manager régime actually results in lower operating costs; but as soon as this is demonstrated the people demand improvements and vote bond issues which they would not approve for the previous mayor and council government. The result is that the city keeps on spending as much money as ever, even though the cost of running the general govern-

²¹⁸ See *Public Management*, Vol. IX, p. 277.

ment has been reduced.²¹⁹ Such was the case in Dubuque where the Carr régime actually reduced the cost of operating the general government and increased by many thousands of dollars the revenue derived from sources other than taxation. The city, however, was in such a physically run-down condition and needed so many improvements that the city was forced to spend money at the old rate and the debt is actually slightly higher today than under the old special charter administration. This money has gone into improvements, however, and not into increased operation costs. The first year in Mason City resulted in decreased operating costs and a considerable reduction in the funded debt.

Many citizens expect that the adoption of the city manager plan will result in immediate tax reduction. Those who are in charge of an adoption campaign would be unwise to make such promises. A city like Mason City with a huge burden of debt can reduce taxes only at the expense of foregoing needed improvements and by refunding bonds for future generations to pay, a line of action now prohibited by State law. The demand for increasing and expanding municipal services is so great that a growing city should congratulate its manager if he can devise a financial plan that will maintain present services, reduce the debt, and construct necessary improvements without actually increasing taxes.

It has been possible, nevertheless, for some of Iowa's smaller cities under the manager system to reduce the tax rate materially during the last fifteen years. Among these cities are Iowa Falls, Clarinda, West Liberty, and Webster City. A reduction in operating expenses resulted in Red Oak. Cities with electric utilities have frequently reduced

²¹⁹ *Pros and Cons of the City Manager Plan in The American City*, Vol. XXXIX, pp. 97, 99.

the tax rate by transferring funds from plant surplus to the general fund. This has been done at Ames and Mount Pleasant. Frequently this utility carries practically the entire salary expense of the general government. Such is the case at Maquoketa and West Liberty. It should be remembered, however, that tax reduction without the aid of utility profits has almost invariably taken place in small cities with static populations. Ames and Mason City are the only two manager cities to show phenomenal growth in the last ten years. In Ames tax reduction has been accomplished only through utility profits and in Mason City tax reduction is hardly advisable or possible. If a city is growing, the citizen must expect to pay more taxes, for the cost per capita of municipal government tends to increase as the city grows.

THE COUNCIL

City Solicitor Stipe, of Clarinda, legislative sponsor of the Iowa manager by ordinance law, claims that higher class men are willing to serve on the council under the city manager plan than under the old aldermanic régime. Similar statements came from a prominent Dubuque manufacturer. It takes an exceedingly public-spirited business or professional man to serve on the city council or to take a firm stand on public issues. There is no doubt that the councilman's connection with administrative decisions which may be unpopular in some quarters often alienates customers, clients, or patients. This fear of loss of potential business is often alleged to be a greater deterrent to entry of the commercial man to the city council than the loss of time and lack of compensation involved. The experience of Red Oak and Clarinda seems to indicate that it is somewhat easier to get prominent citizens to serve on a manager council than was formerly the case with mayor and council government. In the first place, it is claimed

that much of the blame that had to be borne by the council committee acting as an administrative body can now be legally and rightfully passed to the manager. It is the manager's duty to shoulder the entire administrative burden, thus relieving the committee chairmen of the unpleasant task of forcing customers to do something they do not care to do. One Red Oak merchant who was elected to a manager council claimed that his business was actually increased by the prestige and new contacts his membership on the council gave him. Former Councilman Brede of Dubuque, however, says that his concern lost business when the city forced tax collection under the Carr régime.

It is also claimed that council positions are more attractive where there is a city manager because not so much time is required of the councilman. The story is told of a former alderman of an Iowa city who left a good position to accept a council post paying \$300 per year. In those days appropriations were split among the wards and the alderman had a great deal of leeway in spending his allotments. He could thus afford to devote a great deal of his time to city business. The high class man of affairs would obviously dislike such service. Sincere and honest men, however, very often served as ward aldermen and are serving in such a capacity in many cities of Iowa today. Where the system of committee administration is in vogue, however, these men are either devoting an undue part of their time to city business or else the city business is being sadly neglected.

Leonard D. White points out in his admirable book on *The City Manager*²²⁰ that one of the greatest pitfalls of the manager plan is the possible deterioration of the council. The charter committee and allied bodies usually interest many of the most able citizens in the campaign for the adoption of the manager charter. A high grade ticket is selected

²²⁰ White's *The City Manager*, p. 299.

for the first council. Then enthusiasm may begin to die out, and the public may become apathetic. At the second or third election the original council members seek to retire. Civic enthusiasm has subsided to the point where only sporadic efforts are made to secure successors of similar quality. Probably some important element in the community has become disaffected and demands representation on the council. The general result may be that mediocrity creeps into the council chambers so stealthily that the situation is not realized until friction suddenly develops. This condition is probably not so true of our small Iowa cities as it is in the class of municipality considered by Professor White — 100,000 and over. Webster City does not seem to offer any particular council trouble. Mr. Long is in his twelfth year of continuous service, and the present year (1928-1929) is full of achievements that could not have been accomplished with an obstructionist council. Mason City has not had its second election. In Dubuque, however, there has been some evidence of friction, but at the present time (1928-1929) the council seems to be working in entire harmony within itself and with the manager. Naturally the members do not now devote so much time to municipal affairs as did the original councilmen. Organization of the new government required much time and Mayor Alderson and Councilman Brede were at the city hall a part of practically every day, not interfering with the manager's prerogatives, but counselling and advising with him. The councilman of today spends little time outside of the meeting periods at the city hall.

PARTISAN POLITICS AND THE CITY MANAGER

A leader in a charter adoption campaign states that a large share of the opposition came from State headquarters of the dominant political party. Our American party or-

ganization is a hierarchy based upon the local unit which is more than frequently directly connected with the city hall personnel. Even high class party men are naturally lukewarm, if not hostile to any reform that will threaten the continued smooth operation of local organizations built up after years of struggle. The removal of local administrative offices from the field of partisan strife naturally reduces the enthusiasm of those numerous local workers who are not in politics for their health and upon whom the State organization depends to "deliver" on election day. Hence the opposition of partisan politics to the city manager plan.

Mr. White found, however, that city managers have been uninfluenced by political considerations in making their appointments.²²¹ The writer believes such to be the case in Iowa. The four larger cities have made a special effort to secure qualified men, going outside to get them if necessary. All are managed by graduate engineers drawing salaries ranging from \$4000 to \$8500 per year. These men have not cleaned house on assuming office. Old employees have had to demonstrate their competence, but after they have done so their position has been more secure than before. Incompetents are dropped from the city payrolls without formality. In Dubuque the heads of departments are largely men who occupied those positions before city manager rule. Mr. Hopkins has retained the old organization practically intact in the more important positions at Mason City. It is doubtful whether the tenure of these employees has been more endangered than had they remained subject to the vicissitudes of spoils politics. Indeed, officials and employees in all manager cities claim that they are much happier in their working conditions than under the old régime.

The managers are not confined to civil service appointments for the administrative positions of the general gov-

²²¹ White's *The City Manager*, p. 240.

ernment, but civil service regulations apply to the police and fire departments in cities having a population greater than 8000. The writer found, as did Mr. White,²²² that managers are not unqualified advocates of civil service rules and the merit system. Mr. Douglas felt that in a city the size of Dubuque he would be in touch with qualified applicants to fill the positions whenever vacancies should occur. Mr. Kratz feels that, while there is some advantage to the worker in protection from political interference, in general the city and the worker would perhaps both be better off if not so hampered.

The freedom from political influence in appointments by the managers is to some extent demonstrated by the efforts of the larger cities to get technically trained men. Mason City and Dubuque both went to the United States government to get fire chiefs with years of experience in protecting war supplies. The Mason City police force is sending its officers to nationally renowned training schools and bringing in instructors from the outside. The Ames chief of police was formerly an operative for the State of Iowa and has enjoyed the reputation of being the best paid chief, next to Des Moines, in Iowa. Street departments in Dubuque and Mason City have been transferred to the city engineer where experience has demonstrated that care of the streets can be more efficiently handled. There is no doubt that the city manager wants and tries to get the best trained person available. His errors in this respect are errors in judgment and the greatest of executives err in judging human beings. The managers have found that the selection of qualified subordinates is the best insurance of their own tenure. Especially is this so of the police and fire departments.

²²² White's *The City Manager*, pp. 243-246; *Public Management*, Vol. X, p. 200, gives some ideas of P. F. Hopkins on civil service rules.

IS THE CITY MANAGER A CZAR OR DICTATOR?

Opponents of the city manager plan frequently claim that the city manager is a czar who rules with undisputed sway. Such a claim, however, can not be sustained by the facts. The city manager is hired by an elected council; he dare not depart from accepted policy without consulting that elected council; and that elected council can remove him summarily at any time.

The city manager has also been depicted as a dictator. This is true in a sense. He is a dictator to administrative subordinates just as the local superintendent of schools is to the corps of teachers and just as any employer is to the men working for him. But he is a *responsible* dictator. He must act in accordance with the wishes of an elected council which has absolute power to hire or fire him. A city manager takes his office in pursuance of law. His every act is regulated by law. If the voters do not like his work they can influence the elected councilmen to dismiss him. If they refuse new councilmen may be elected at the next biennial election. Dictators can be removed only by death or violence. The whole city manager régime can be abolished by vote of the electorate any time after six years of trial. In the words of Manager Long, the city manager plan is not one man rule, it is one man responsibility.

THE MANAGER'S SALARY

It has sometimes been thought that the manager's salary is an excessive and needless expense. Examples can be cited, however, to show that city managers have quite generally introduced economies far in excess of their salaries. The police court revenues were increased more than enough to take care of Mr. Carr's salary the first year, not to speak of pay roll economy and additional city revenues from the collection of delinquent taxes. At Mason City the salary

paid Mr. Hopkins was no greater than the combined salaries of the old commissioners. No one can say that Mr. Long is an expense to Webster City. His management of the electric utility alone would warrant the payment of his modest stipend. As a matter of fact, those cities having utilities frequently draw the entire salary of the manager and some office help from the utility funds. The writer is of the opinion that any Iowa city of the first or second class can afford to pay a manager who is an engineer from \$3000 per year up. If he is trained in municipal service or engineering he can save many times this amount by being constantly on the job to watch the city's interests. A recent check of municipal expenditures at Bettendorf showed that the city paid \$8100 for engineering consultation in a single year, and even then many of the improvements were found to have been carelessly designed and inspected. Thus Bettendorf, a city of about 2500, now saves money by paying \$3300 for a manager who is also an engineer. The policy of trying to reduce taxes by committee administration is penny wise and pound foolish.

THE MANAGER PERSONNEL

Of Iowa's thirteen city managers nine are engineers, seven of whom are graduates of recognized engineering colleges, and two are men of marked technical ability acquired through experience and home study. The other four have had a variety of past experience varying from clergyman to blacksmith, from wartime government administrator to school teacher, from secretary of the chamber of commerce to public utility operator. Salaries vary from \$1200 per year at Villisca to \$5500 at Ames among the ordinance cities, and from \$4000 at Webster City to \$8500 at Dubuque among charter cities. A generalization that the engineer managers more nearly approximate profes-

sional standards would be quite accurate. This does not mean to minimize the fine work of men like Mr. Gregg at Iowa Falls or Mr. Mackey at West Liberty. The men in the non-engineer group, however, are quite uniformly chosen from home. They may or may not have had previous municipal experience and frequently have no technical qualifications. The manager position at Manchester and Villisca, for instance, is little more than a transfer of the city clerk's duties to a city manager by means of an ordinance. In one case the salary is \$1200, in the other \$1560.

Among the engineer group, however, we find men with a professional city manager consciousness. Mr. Kratz is vice-president of the City Managers' Association. Dubuque is the third city he has served as manager. He came to his manager career with many years of experience as engineer for Federal, municipal, and private interests. Mr. Hopkins came to Mason City after seven years of successful service at Ames. He is a graduate of Iowa State College as is Mr. Long at Webster City who is in his twelfth year of manager service. Mr. Ames of Ames and Mr. Seymour of Bettendorf are both graduates in civil engineering of Iowa State College. Mr. Johnson of Red Oak is a graduate of the State University and has had considerable experience in municipal engineering. All of these men attend the association meetings. Mr. Thorne of Maquoketa is a graduate in engineering of the University of Wisconsin and formerly practiced as a consulting municipal engineer at Clinton, Iowa. Mr. Toyne of Clarinda was formerly city engineer at Carroll. Mr. McMillan of Mount Pleasant has grown up with the municipal utilities of that city.

The question arises as to whether the city manager should be chosen locally or from outside. The writer believes that in the vast majority of cases the true city man-

ager spirit will more certainly result if a non-resident is chosen. A trained man from the outside will be less inclined to yield to local political pressure than will the man already connected with the social, political, and personal alignments of the community. One Iowa manager is alleged to have said that managers should move every five or six years; otherwise they run the risk of becoming aligned with some faction and unconsciously lose their detached point of view.

In the smaller cities, moreover, it is not always possible to find a local man who is qualified by training, experience, or temperament to take over this work. This leads to the question as to what type of training is best suited to the city manager position. There is no doubt that engineering knowledge is desirable in municipalities of the size found in Iowa. On the other hand it is suggested that such training does not necessarily fit one for dealing with the great moral and humanitarian functions of government. This, however, is largely a personal element. Engineers are probably as likely to be humanitarians as lawyers and accountants. Probably the ideal city manager would be an engineer whose technical training had been supplemented by studies in the social sciences. This will come as young men are eventually trained to become city managers in the colleges of public administration of the future. At present the engineering profession offers the best trained group for the selection of the small city of Iowa.

The personal element still predominates in the selection of city managers and in their administrations. As Mr. White says, city managers are practical men. They have not developed and are not rapidly developing a science of municipal administration. They go about the solution of their own problems at the time they arise in a direct and shirt sleeve manner. As long as this prevails the admin-

istration of a given city is likely to reflect the personality of the manager.

The average resident of an Iowa city expects a city manager to be able first of all to get his money's worth in spending the municipal revenues. Managers are not yet selected because of their plans for recreation, social betterment, or for their general humanitarian outlook. Regrettable as this may seem, the fact remains that city councils are mainly interested in employing managers who know defective construction on sight; who are able to let \$1.75 pavement at \$1.75 instead of \$3.25; who scan a purchase order to see whether the desired goods may not be on hand in some other department; and who can devise schemes for doing the same work at a considerably lower cost. To fulfil these requirements managers must possess a certain shrewdness that comes of a knowledge of the ways of the world. They must be prepared to stand up for the city's rights by unmasking ulterior motives of powerful interests. The experience of an engineer usually develops a certain ability to detect values in those things for which the city spends the greater part of its income: streets, grading, pavement, sewers, culverts, public buildings, bridges, waterworks, the supervision of building codes, fire protection, etc. Engineer-managers, however, have demonstrated their fitness in other fields as well. Police administration at Dubuque and Mason City have materially improved under the new régimes. Playground work is being expanded by the employment of a full time supervisor at Dubuque.

DOES THE MANAGER PLAN PRODUCE CLASS GOVERNMENT?

It has been said that the city manager plan sometimes produces class government. The council becomes composed of members of the upper middle class — bankers, merchants, manufacturers, professional men. The manager

quite naturally takes his orders from those who employ him. Thus there arises the cry of class government from the laboring classes and other factions. This is not a necessary and inevitable result, however. Mr. Kratz's door is always wide open. Mr. Hopkins is very accessible and Mr. Long sometimes has scores of phone calls in a day. As a matter of fact the average citizen without political influence is likely to get quicker service in a city manager municipality than elsewhere, especially if it be a small municipality. The reason for this is because the city manager has sufficient authority to enable him to settle most complaints without procrastination, whereas the complainant in mayor-council municipalities has to travel the circuitous route of council appointee, council committee chairman, other members of the committee, entire council. Along this route he encounters endless delays because there is no one who cares to take the responsibility of making a decision or has authority to do so. An up-to-date city manager's office in a small Iowa city is a reliable source of information and a court of ready adjustment and conciliation of grievances concerning the citizen and the city.

It is this readiness of the manager to throw his door open for the approach of all classes at all times that gives the lie to the charge of class government. In industrial cities having a large laboring population it is well to select for the council one or two laboring men who enjoy the confidence of the commercial interests and of their fellows. Such has led to happy results in Dubuque where two or three labor representatives are constantly on the council.

THE ORDINANCE PLAN OR THE CHARTER PLAN?

The fact that the Iowa statutes provide two means of obtaining city manager government might lead some to think that there is some choice between the two. Such is

not the case, however. The charter type is the true city manager plan. The ordinance plan is only a makeshift. The latter should be adopted only as a transition or in case it is felt that a charter election would be defeated at the polls. The ordinance plan can be abolished or the manager's powers can be taken away by the council at any time. Under the charter type the manager has full charge of all the city affairs and, while the council may dismiss him at any time, it can not legally limit his authority. The ordinance manager has only such authority as is delegated by the council and that body has no authority to give him supervision of the police.

CONCLUSION

The writer feels that city manager government in Iowa has been a success. Every city in Iowa could profitably employ a trained administrator—a man with a combination of engineering, management, and accounting training. Even a small city of 2500 could save money by paying such a person a salary of \$3000 per year up. This amount could often be saved on engineering fees alone, not to speak of the saving resulting from the prevention of faulty construction. A scientific budget of the city's finance would provide for the rapid retirement of debt and the expenditure of each penny for its utmost worth. Purchasing supervised by a technical man who knows building values would result in great economies. The manager plan merits investigation by every Iowa city.

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THE BICAMERAL SYSTEM IN PRACTICE

[This is the first installment of an article on the bicameral system in practice by Dorothy Schaffter. The final installment will appear in the April number of this magazine.—THE EDITOR]

The problem of legislative organization is very old and important — almost as old and important as the legislature itself. The questions of the proper size, the number of chambers, and the basis of representation have been among the problems which have always arisen in connection with the establishment and maintenance of a legislative body. In the attempt to solve the problems of legislative organization a vast amount of theory has been, and is yet being, evolved, and many examples of the application of these theories are available, but the third essential to a satisfactory solution — namely, an accurate, comprehensive knowledge of the actual operation of legislatures — is lacking. The scientific method may be said to consist of the formulation of an hypothesis, its application to existing phenomena upon the assumption that it is true, and, finally, a careful appraisal of the results to determine whether or not a valid theory has been formulated.

The student of contemporary work in the social sciences must be aware of the ever increasing emphasis which is being placed upon the use of objective methods of research in the field of social phenomena. In spite of the too frequent misuse of statistical or quantitative methods in this connection, it is nevertheless apparent that certain social facts do lend themselves to a quantitative analysis yielding novel and valuable results. The adverse criticism of social statisticians deserves to be directed rather toward those members

of the group who insist upon disregarding entirely the use of all other methods of research, than toward those members who consider quantitative analysis to be a supplementary research device. Stuart A. Rice has expressed this idea clearly in his recent volume, *Quantitative Methods In Politics*, where he says:

Quantitative method is one among various means of discovering truth. In political science it is a comparatively new and rare means. I necessarily hold a brief for it in presenting this volume, but I do not contend for its necessary or universal superiority as compared with traditional modes of inquiry. Each method, so far as it has validity as a means of discovery, should supplement and corroborate the others, when applied to the same subject matter. When corroboration fails, the science will gain by disclosure of the point of weakness. I am making, then, no effort to provide or suggest a complete methodology for the science of politics, nor am I attempting to apply quantitative method to the entire domain of that science. The aim, rather, is to demonstrate in some parts of the political field the possibilities of obtaining by quantitative procedure more exact statements of situation or relationship than have hitherto been secured.¹

The present study, to paraphrase Mr. Rice's last statement, has as its aim to demonstrate in one part of the field of legislative organization — namely, the application of the bicameral principle in a State legislature — the possibilities of obtaining by quantitative procedure more exact statements of situation or relationship than have hitherto been secured. A single problem of legislative organization is chosen because the entire problem is too inclusive in its scope to be dealt with as a whole. It might be argued that the question as to the proper number of chambers in a State legislature is scarcely to be designated a "problem", since the entire forty-eight American Commonwealths have adopted the bicameral system. Furthermore, the system

¹ Rice's *Quantitative Methods in Politics*, p. 5.

has been in use in the various States for such a long period of time that the evidence naturally appears to Americans to be conclusively in favor of the theory that the number of houses should invariably be two. Bicameralism also prevails in most European states and Americans on the whole are more familiar with European institutions than they are with the institutions of a rather numerous group of non-European states in which unicameral legislatures exist.²

But in spite of this weighty evidence of preponderance of practice, a careful student can not be satisfied to accept bicameralism as an established principle. If he desires to answer the question from the viewpoint of the political theorists, he will find innumerable authors who uphold bicameralism and, until recent years, only a very few who advocate unicameralism. Applications of both theories in various parts of the world can be easily listed. But when the student attempts to find a scientific evaluation of the actual operation of either unicameral or bicameral legislatures which will tend to prove or to disprove the validity of the respective theories, he searches almost in vain. While there is a bewildering amount of theoretical material relating to bicameralism, virtually no attempt has been made to balance the claims with the results, an operation which should follow in order to justify the continuance or discontinuance of the system.

A few tentative and inconclusive quantitative studies of State legislatures during a single session have been made,³

² *Bicameralism or Unicameralism: Which?* in *Equity*, Vol. XX, p. 168.

³ Briggs's *The Legislation of the Thirty-ninth General Assembly of Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XIX, pp. 489-496; Briggs and Van Ek's *The Legislation of the Fortieth General Assembly of Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXI, pp. 507-522; *Constitutional Convention Bulletin No. 8, The Legislative Department* (Illinois Legislative Reference Bureau), pp. 529, 530; Hodge's *Distrust of State Legislatures: The Cause; The Remedy in Proceedings of the Sixth Meeting of the Governors of the States of the Union* (1913), pp. 248-264; Thompson's

but no one has conclusively demonstrated the correctness of the assertion that two houses are better than one house, or vice versa, in any legislature in existence. Such a contention is founded entirely upon theory, if not upon mere opinion and prejudice. The political scientist, desiring to prove to a sometimes sceptical world that he is scientific, can not accept bicameralism upon such a basis.

The present study has a two-fold purpose. In the first place, it aims to make some contribution toward the establishment of the new technique of quantitative research into political problems, and in the second place it aims to offer new evidence on the subject of bicameralism in a State legislature. Probably the more important of these two contributions is in the realm of the technical method developed, because, if a new method can be established of evaluating the actual workings of a bicameral State legislature, the accumulation of data will be more or less a routine matter. After the work of a sufficiently large number of State legislatures over a considerable period of years has thus been reduced to comparable form, some new light will presumably be cast upon the old question, so long unanswered. Does the bicameral system of State legislative organization *in practice* fulfill the claims made for it *in theory*?

I

THE BICAMERAL SYSTEM IN THEORY

Before attempting to prove or to disprove the various advantages which its advocates claim to be inherent in the bicameral system of legislative organization, a definite and comprehensive statement must be made of these theoretical claims as they appear in the works of the persons who have,

Our Legislative Mills III Wisconsin in the National Municipal Review, Vol. XII, p. 605.

at various times, written on the subject. The material is almost inexhaustible. Writers of different nationalities, at widely separated periods of time, and for all sorts of reasons, have contributed their opinions. A complete, unclassified list of these statements is so extensive as to be almost meaningless. But in reality, there is not a great number of fundamentally different arguments for bicameralism. A classification of these arguments into a few large groups is quite possible, and is a valuable aid in arriving at a real understanding of exactly what is claimed for the system. Such a classification, in seven categories, is the basis of the present chapter. The grouping is not the only one possible, but it appears to serve the sole purpose for which it was devised — to present in an orderly, understandable manner a large amount of disconnected material.

The bicameral principle of legislative organization has been advocated on the following bases:

1. Two chambers provide a check on hasty, ill-considered legislation.
2. Representation of diverse interests of individuals and groups can be secured through bicameralism.
3. Custom, tradition, and history are predominantly in favor of two legislative chambers.
4. Bicameralism is a necessary part of the system of checks and balances.
5. Two chambers present an obstacle to the operation of corrupting influences.
6. The fear of excessive democracy is allayed somewhat through the division of the legislative agency.
7. Two houses in a legislature can be used to divide the work, with a consequent saving of time.

CHECK ON HASTY, ILL-CONSIDERED LEGISLATION

Following the order just outlined, the first argument to be considered, stated briefly, is that the bicameral organiza-

tion of a legislature prevents hasty and ill-considered legislation. James Bryce was deeply impressed by the widespread use of this argument in America.⁴ So similar are the expressions of the various writers that only a summary of them will be given, rather than a statement of what each had to say on the subject.

Many instances are found of the statement that a bicameral legislature will prevent hasty and ill-considered legislation, without proof, illustration, or argument in defense.⁵ Other writers state that two houses will ensure more thorough debate⁶ and a double, independent deliberation⁷ by bodies differently constituted.⁸

The prevention of errors and inaccuracies in legislation

⁴ Bryce's *The American Commonwealth* (Third Edition), Vol. I, pp. 480, 481.

⁵ Adams's *The Works of John Adams*, Vol. IV, p. 195; Amos's *The Science of Politics* (Third Edition), p. 238; Bagehot's *The English Constitution* in Barrington's *The Work and Life of Walter Bagehot*, Vol. V, p. 240; Beard's *American Government and Politics* (Fifth Edition), p. 222; Bryce's *The American Commonwealth* (Third Edition), Vol. I, p. 123; Garner's *Government in the United States*, p. 75; Haines and Haines's *Principles and Problems of Government* (Revised Edition), p. 331; Leacock's *Elements of Political Science* (1921), p. 158; Lecky's *Democracy and Liberty*, Vol. I, p. 363; Lieber's *On Civil Liberty and Self-Government* (Third Edition), p. 193; Luce's *Legislative Assemblies*, pp. 25, 27, 36, 37, 41; Marriott's *Second Chambers* (Revised Edition), p. 3; Mathews's *American State Government*, p. 147; Mill's *Considerations on Representative Government*, p. 250; Walsh's *The Political Science of John Adams*, p. 334; Wheeler's *Life and Writings of Thomas Paine*, Vol. IV, p. 293. The preceding references form only a part of the list collected by the author on this point.

⁶ *Observations on the Bicameral System in The Constitutional Review*, Vol. X, p. 120; Wilson's *The State* (1918), pp. 317, 318.

⁷ Bates and Field's *State Government*, p. 139; Burgess's *Political Science and Comparative Constitutional Law*, Vol. II, p. 107; Goodnow's *Principles of Constitutional Government*, pp. 151, 165; Ogg and Ray's *Introduction to American Government* (Third Edition), p. 675.

⁸ *The Federalist*, Nos. XXVII, LXXII; Holcombe's *State Government in the United States* (Second Edition), p. 249; Story's *Commentaries on the Constitution of the United States* (Fifth Edition), Vol. I, p. 414; Wilson's *The State*, pp. 317, 318; Woolsey's *Political Science or the State*, Vol. II, p. 312.

is claimed to be a result of a double consideration,⁹ and wiser legislation is said to be produced by the use of a "revising" house.¹⁰

A single body realizing the finality of its action and the absoluteness of its power may be, it is claimed, much more likely to be satisfied with hasty, careless work than a house which knows that its every action is to be subjected to critical revision by another body which frequently takes pleasure in discovering errors — that is, honest, scientific legislation is produced through the efforts of rival houses to maintain their reputations.¹¹

The very delay attendant upon awaiting passage by two houses is assumed by some authors to have value in itself. Robert Luce asks the question if it is not advantageous to delay in the case of a deadlock. Each chamber has shown a strength and depth of feeling unusual to that aroused in considering the ordinary run of business.¹² The deadlock and resulting inaction call attention and force an advantageous delay until opinion can gather sufficient force to compel action.¹³ Bryce's statement is interesting, although

⁹ Amos's *The Science of Politics*, p. 238; De Tocqueville's *American Institutions and Their Influence*, p. 81; Garner's *Political Science and Government*, p. 605; Luce's *Legislative Assemblies*, p. 29; Temperley's *Senates and Upper Chambers*, p. 80; Walsh's *The Political Science of John Adams*, p. 329; Wilmoughby's *An Introduction to the Study of the Government of Modern States*, p. 318.

¹⁰ Elliott's *Debates on the Adoption of the Federal Constitution*, Vol. V, p. 189; Spender's *One Chamber or Two?* in *The Contemporary Review*, Vol. 97, p. 552.

¹¹ Barnett's *The Bicameral System in State Legislation* in *The American Political Science Review*, Vol. IX, pp. 462, 463; Gettell's *Introduction to Political Science*, p. 239; Kent's *Commentaries on American Law* (1896), Vol. I, p. 258; Lecky's *Democracy and Liberty*, Vol. I, pp. 375, 376.

¹² Luce's *Legislative Assemblies*, p. 39.

¹³ Lecky's *Democracy and Liberty*, Vol. I, pp. 375, 377, 378; Thompson's *Our Legislative Mills III Wisconsin* in the *National Municipal Review*, Vol. XII, p. 601.

it slightly exaggerates the situation, "The mere tendency of two chambers to disagree with one another is deemed a benefit by those who hold, as the Americans do, that every new measure is *prima facie* likely to do more harm than good."¹⁴

Certain authors call attention to the fact that frequently a very active faction, not representing the true opinions and desires of the people, may control one house and be able to direct the course of legislation. By having two houses, such a temporarily dominant faction is rendered harmless.¹⁵ A further advantage of the bicameral system is said to be that legislation passed by such a body is the result of compromise.¹⁶ Walter Thompson says, "Conflicts and honest compromises are the very essence of legislation."¹⁷

John W. Burgess says that a legislature of one chamber is too radical while one of three chambers is too conservative. The true mean between these positions, and therefore the true interpretation of the common consciousness at each particular moment will be best secured by a legislature of two chambers.¹⁸ In contrast to the idea that radical legislation will be checked under this system,¹⁹ an English author considers that the function of the second chamber ought to be to prevent reactionary legislation as well.²⁰

¹⁴ Bryce's *The American Commonwealth* (Third Edition), Vol. I, p. 551.

¹⁵ *Observations on the Bicameral System in The Constitutional Review*, Vol. X, p. 120; Elliott's *The Debates on the Adoption of the Federal Constitution*, Vol. IV, pp. 38, 39; Luce's *Legislative Assemblies*, p. 29.

¹⁶ Lecky's *Democracy and Liberty*, Vol. I, p. 378.

¹⁷ Thompson's *Our Legislative Mills III Wisconsin in National Municipal Review*, Vol. XII, p. 601.

¹⁸ Burgess's *Political Science and Comparative Constitutional Law*, Vol. II, p. 107.

¹⁹ Garner's *Legislative Organization and Representation in Proceedings of the Illinois State Bar Association* (1917), p. 377.

²⁰ Harley's *The Second Chamber in France and Switzerland — The Referendum in Second Chambers in Practice* (Rainbow Circle), p. 19.

J. L. DeLolme attributes the permanence of English law to the influence of the bicameral principle of legislative organization.²¹ W. E. H. Lecky agrees with this opinion for the reason that such a legislature will be slower to adopt constitutional and organic changes. The permanence of reforms in England and the tranquillity with which they have been effected he thinks are largely due to the delay in their passage until they are thoroughly sifted and incontestably sanctioned by the nation.²²

One final bit of information which has an interest, and possibly an importance, out of proportion to its brevity is that this conception of the function of the bicameral legislature as a check against hasty and ill-considered legislation does not coincide in its origin with the origin of the system itself. The bicameral form can be traced far back into history — the defense of the system as a check is a nineteenth century product.²³ The inevitable question is, to what extent is such an argument merely rationalization when applied to an institution several hundred years older than the argument? Have people desired to retain the system and manufactured this reason for its retention, or was such a result inherent in the system but invisible to its founders and early users? If it can be proven that the bicameral legislature is a check against hasty and ill-considered legislation, no valid objection can be made to its use for that purpose merely because such a use was not apparent until a relatively late date.

THE REPRESENTATION OF DIVERSE INTERESTS

The argument that a legislature of two house can be used to advantage in the representation of diverse interests is

²¹ De Lolme's *The Constitution of England*, p. 158.

²² Lecky's *Democracy and Liberty*, Vol. I, pp. 377, 378.

²³ Morgan's *Second Chambers in The Contemporary Review*, Vol. 97, p. 534.

very common. The essence of this argument is compromise — the conciliation of opposing opinions by making room for both, instead of forcing the proponents of one side to renounce entirely its expression in government and furthermore, to accept a government based upon the theory which they oppose.²⁴ The most striking example of the saving power of such a compromise is found in early American history, in the adoption of the bicameral legislature representing in the respective houses of Congress the interests of the large and the small States which were attempting to formulate a government whose machinery would be acceptable to both groups.²⁵ If the search is continued, either in the field of history or of political theory, a surprising number of possibilities of representing various special, and often more or less antagonistic, interests in two houses are found.

The use of a bicameral legislature as a means of satisfying the diverse interests of groups in a federal system of government is of primary interest to Americans. This plan makes possible independence for the separate States and union for the whole people,²⁶ and is a most convenient solution for safe-guarding the separate sovereignties and entities of the smaller, weaker States.²⁷ One house — usually the upper — can be used to maintain the individualities of the constituent units of the federal state by giving equal

²⁴ Walsh's *The Political Science of John Adams*, pp. 336-339.

²⁵ Bryce's *The American Commonwealth* (Third Edition), Vol. I, p. 184; Leacock's *Elements of Political Science*, p. 165; Marriott's *Second Chambers* (Revised Edition), p. 69; Ogg and Ray's *Introduction to American Government* (Third Edition), p. 348; Robertson's *Bicameral Versus Unicameral Legislative Systems Considered in the Light of the Four Preceding Papers in Second Chambers in Practice* (Rainbow Circle), p. 101.

²⁶ De Tocqueville's *American Institutions and Their Influence*, pp. 113-115.

²⁷ Matheson's *Second Chambers in the United States of America in Second Chambers in Practice* (Rainbow Circle), p. 59.

representation to each unit. The other house — usually the lower — can be used to satisfy the desires of the more populous units by representing the people at large. This compromise is represented in several federal republics, especially in the United States, Canada, Australia and the South African Union.²⁸ References to this use of the bicameral system are very common.²⁹ Many writers admit the necessity or utility of its use in a federation,³⁰ but can see no reason for its incorporation in a system of government designed for a unitary state,³¹ and certain of these writers do not admit its utility in any other than the federal type of government.³² That there is no justification for the use of the bicameral system in the constituent states of a federal state, since such units are not in themselves made up of independent units, is an obvious corollary to the preceding statement.³³

Certain of the arguments in defense of two houses for the purpose of representing diverse interests should be

²⁸ Bates and Field's *State Government*, p. 139; Goodnow's *Principles of Constitutional Government*, pp. 145-147.

²⁹ Garner's *Introduction to Political Science*, p. 436; Garner's *Political Science and Government*, pp. 607, 608; Goodnow's *The Parliament of the Republic of China* in *The American Political Science Review*, Vol. VIII, pp. 558, 559; Goodnow's *Principles of Constitutional Government*, p. 143; Munro's *The Government of the United States* (1925), p. 186; Pomeroy's *An Introduction to the Constitutional Law of the United States*, p. 122.

³⁰ Garner's *Legislative Organization and Representation in Proceedings of the Illinois State Bar Association* (1917), p. 382; *The Federalist*, No. LXII; Luce's *Legislative Assemblies*, p. 36; Marriott's *Second Chambers* (Revised Edition), p. 228; Ogg and Ray's *Introduction to American Government* (Third Edition), pp. 348, 349.

³¹ Walker's *The Second Chamber in Canada, South Africa, and Australasia in Second Chambers in Practice* (Rainbow Circle), p. 37.

³² Haines and Haines's *Principles and Problems of Government* (Revised Edition), p. 329; Mathews's *American State Government*, p. 147; Spender's *One Chamber or Two?* in *The Contemporary Review*, Vol. 97, p. 553.

³³ Martin and George's *American Government and Citizenship*, p. 291; Wilson's *The State* (1918), p. 317.

presented in a study of the bicameral system, though these defenses of the bicameral system have no application to an American Commonwealth. In a study of the Iowa legislature, therefore, they may be dismissed with mere mention. For example, in an empire the upper house could be used to represent the mother country and various colonies as units, while the lower house could represent people of the empire as a whole.³⁴ Monarchism and republicanism,³⁵ aristocratic and popular elements,³⁶ and free and slave holding communities,³⁷ could in the same manner be reconciled to a common government if each of the interests was assured that the influence of its beliefs would be dominant in one-half of the legislative department.

The four arrangements just described clearly have no connection with possibilities of representing diverse interests in a State legislature, simply because the interests mentioned do not exist as such in the State. But several other arrangements, now to be considered, do have a possible connection with the use of a bicameral legislature in a State like Iowa. The first of these is the representation of minority interests in one house and majority interests in the other.³⁸ Liberals might dominate one chamber and con-

³⁴ Willoughby's *An Introduction to the Study of the Governments of Modern States*, p. 321.

³⁵ Burgess's *Political Science and Comparative Constitutional Law*, Vol. II, p. 108.

³⁶ Burgess's *Political Science and Comparative Constitutional Law*, Vol. II, p. 108; Elson's *The Fourth Constitutional Convention of Ohio in The American Review of Reviews*, Vol. XLV, p. 340; Garner's *Introduction to Political Science*, p. 434; Garner's *Legislative Organization and Representation in Proceedings of the Illinois State Bar Association* (1917), p. 382; Goodnow's *The Parliament of the Republic of China in The American Political Science Review*, Vol. VIII, p. 558; Holcombe's *State Government in the United States* (Second Edition), p. 248; Walsh's *The Political Science of John Adams*, p. 338.

³⁷ Walsh's *The Political Science of John Adams*, p. 336.

³⁸ Munro's *The Government of the United States* (1925), p. 188; Temperley's *Senates and Upper Chambers*, pp. 146-148.

servatives the other,³⁹ or capital one and labor the other.⁴⁰ Representation might be based on population in one house and wealth in the other,⁴¹ on agricultural and mercantile groups,⁴² or on wide and narrow suffrage.⁴³ The popular idea that the upper house represents better political experience and training while the lower house furnishes an expression of the attitudes of the people is similar to John Stuart Mill's suggestion that there might be a people's chamber and a statesmen's chamber.⁴⁴ Besides securing a representation of both conservatism and radicalism as suggested above, two houses chosen for varying terms and at different times may represent simultaneously the public will as expressed under different circumstances, and such an arrangement will possibly secure a more accurate representation of the public will. The permanence and stability of one house can easily be offset by a flexibility and susceptibility to changing public opinion in the other house.⁴⁵ In any State in which the claims of rural and of urban districts are conflicting, the existence of two houses is a possible means of compromising the conflicting claims.⁴⁶ The use of two bodies for the representation, in a general way, of special social and economic interests, is

³⁹ Gettell's *Introduction to Political Science*, p. 239; Goodnow's *Principles of Constitutional Government*, p. 144; Robertson's *Bicameral Versus Unicameral Legislative Systems Considered in the Light of the Four Preceding Papers in Second Chambers in Practice* (Rainbow Circle), p. 89.

⁴⁰ Garner's *Introduction to Political Science*, p. 436; Walsh's *The Political Science of John Adams*, p. 336.

⁴¹ Walsh's *The Political Science of John Adams*, p. 336.

⁴² Walsh's *The Political Science of John Adams*, p. 336.

⁴³ Walsh's *The Political Science of John Adams*, p. 336.

⁴⁴ Mill's *Considerations on Representative Government*, p. 255.

⁴⁵ Gettell's *Introduction to Political Science*, p. 239.

⁴⁶ Holcombe's *State Government in the United States* (Second Edition), pp. 253-256; Mathews's *American State Government*, p. 149.

suggested;⁴⁷ and the statement is even made that in some States today one chamber represents a rather distinct interest as against the representation of population in the other chamber.⁴⁸

An interesting plan, of much later origin than those preceding, is incorporated in Sidney and Beatrice Webb's *A Constitution for the Socialist Commonwealth of Great Britain*.⁴⁹ The basis of the plan is the alleged inability of one individual, chosen as a member of Parliament, to represent the vast complex of emotions and desires in his individual constituents. The remedy for the present situation, which pre-supposes that such a method of representation is possible and adequate, is the formation of a bicameral legislature in which each house shall have an entirely distinct sphere. One would be a political body with authority over foreign affairs, colonial affairs, national defense and justice. The other body would control national, economic, and social activities. This plan recognizes, not the diverse interest within the total population represented in the legislature, but the diverse interests within the individual himself.

THE INFLUENCE OF HISTORY

The conservative force as it operates in the field of politics is nowhere more potent than in the case of the organization of legislatures. Although conservatism is essentially the same in effect in all of its manifestations, it appears in a different guise in the various arguments favoring the bicameral form, which are based on historical influence.

⁴⁷ Beard's *American Government and Politics* (Fifth Edition), p. 593; Garner's *Political Science and Government*, p. 607.

⁴⁸ *Constitutional Convention Bulletin No. 8, The Legislative Department* (Illinois Legislative Reference Bureau), p. 531.

⁴⁹ Webb's *A Constitution for the Socialist Commonwealth of Great Britain* in *Finer's Representative Government and a Parliament of Industry*, p. 26.

Certain authors consider that the councils associated with the early governors of the American colonies were the prototypes of the upper house of our national and State legislatures, while others refer to the very apparent fact that American constitution-makers borrowed the idea from other countries and that it was in no sense original with them.⁵⁰ Sydney G. Fisher, however, denies that the Senate was an imitation of the British House of Lords or the States-General of the Netherlands.⁵¹ Woodrow Wilson mentions the possibility that Greek and Roman organizations were models.⁵² Frank J. Goodnow, in recommending a legislative plan for the Chinese Republic, said that the bicameral form has been preserved in most countries through the natural desire to imitate successful models,⁵³ and this statement appears to describe the reason for imitating the British House of Lords and the early colonial councils in the adoption of an upper house reproducing many of the essential characteristics of the earlier bodies.

In some cases the conservative force appears in a form which can only be called pure prejudice. At the sixth Governors' Conference, held in 1913, several speeches were made in the discussion of the relative merits of the bicameral and unicameral State legislature. Governor Joseph M. Carey of Wyoming voiced the argument based on prejudice in the following words, "I believe in our representative form of government. I believe in two branches of the legislative power, and you can count on the Governor, mak-

⁵⁰ Bryce's *The American Commonwealth* (Third Edition), Vol. I, p. 480; Goodnow's *Principles of Constitutional Government*, p. 143; Wilson's *The State* (1918), p. 318.

⁵¹ Fisher's *The Evolution of the Constitution of the United States*, pp. 18, 19.

⁵² Wilson's *The State* (1918), p. 318.

⁵³ Goodnow's *The Parliament of the Republic of China* in *The American Political Science Review*, Vol. VIII, p. 558.

ing three. I believe it has worked out well. I believe it is the best form that has ever been discovered by the minds of men."⁵⁴ O. B. Colquitt, former Governor of Texas, says that he is a "rock-ribbed constitutional government advocate" and he continued, "I believe in our system of government thoroughly." His further remarks were to the effect that Washington, Franklin, and Madison had discussed the matter and that, so far as he was concerned, their decision in favor of two houses was final.⁵⁵ The average man likes to accept the judgment of the world, and the force of tradition is so strongly in favor of the bicameral legislature that he feels that it must necessarily be the proper form, and that there must be something underlying the deep suspicion with which the unicameral system is regarded.⁵⁶

In fact, the bicameral legislature has been in existence in so many countries over such a long period of time that the system appears to be a "demonstrated truth" and "an axiom in the political science of the present age."⁵⁷ John M. Robertson says the second chamber has become a superstition—a tradition accepted uncritically as a first political principle.⁵⁸ Many other authors stress the importance of this influence of tradition, which leads to the perpetuation of a bicameral legislature just as it has caused formal adherence to many other institutions in the course of political development. In all such cases there is evi-

⁵⁴ Governor Carey's speech is recorded in the *Proceedings of the Sixth Meeting of the Governors of the States of the Union* (1913), p. 316.

⁵⁵ Governor Colquitt's speech is recorded in the *Proceedings of the Sixth Meeting of the Governors of the States of the Union* (1913), pp. 303, 304.

⁵⁶ Spender's *One Chamber or Two?* in *The Contemporary Review*, Vol. 97, p. 549.

⁵⁷ De Tocqueville's *American Institutions and Their Influence*, pp. 81, 82.

⁵⁸ Robertson's *Bicameral Versus Unicameral Legislative Systems Considered in the Light of the Four Preceding Papers in Second Chambers in Practice* (Rainbow Circle), pp. 88, 89.

denced the greatest reluctance to change any of the formulas of government which have come down from past generations.⁵⁹

To be sure, this traditional form of legislative organization is not always accepted so blindly. Frequently a careful examination of the actual workings of the bicameral system has apparently preceded the decision in their favor,⁶⁰ and actual examples are cited to prove the case.⁶¹ Others mention the unicameral legislatures which failed or were abandoned in favor of the bicameral form.⁶²

Although anyone who attempts to think rationally knows that the mere fact of long established and widespread usage is not conclusive evidence as to the worth of governmental institutions, yet there is some excuse for judging the form of legislative organization on this basis. Nation after nation — ancient and modern, large and small, republican and monarchical — has accepted the bicameral legislature and has continued the form. It has been voluntarily called into existence in countries which were establishing new governments and were under no obligation to have such a system.⁶³ There were, to be sure, approximately sixty unicameral legislatures (in 1918) but, with the exception of those found in the Canadian provinces and in the Swiss cantons, they

⁵⁹ Goodnow's *Principles of Constitutional Government*, pp. 142, 143, 151; Mathews's *American State Government*, p. 147; Munro's *Government of the United States* (1925), p. 185.

⁶⁰ Barnett's *The Bicameral System in State Legislation in The American Political Science Review*, Vol. IX, pp. 453-455; De Lolme's *The Constitution of England*, p. 162; Garner's *Introduction to Political Science*, p. 431; Kent's *Commentaries on American Law* (1896), Vol. I, pp. 257, 258.

⁶¹ *The Federalist*, No. LXIII, in Lodge's *The Works of Alexander Hamilton*, Vol. XII, p. 138.

⁶² Kent's *Commentaries on American Law* (1896), Vol. I, pp. 258-260; Lecky's *Democracy and Liberty*, Vol. I, p. 364; Lieber's *On Civil Liberty and Self-Government*, pp. 194-196.

⁶³ Herdman's *Representative Government: A Review of the Session and Its Discussions in Second Chambers in Practice* (Rainbow Circle), p. 156.

are in relatively small and unimportant countries.⁶⁴ Under these circumstances, the force of tradition and habit and experience is exerted so preponderantly in favor of the bicameral form that it requires an unusual effort to disregard this type of argument and to proceed to make a decision solely on the basis of existing conditions.

AS A PART OF THE SYSTEM OF CHECKS AND BALANCES

One of the chief difficulties in government is the establishment and the preservation of the proper relationships between the major departments — that is, the proper separation of the powers and a system of checks and balances adequate to preserve this separation. In a republican government the legislature is the organ which seems most likely to be able to secure power not originally granted to it and, since there is a definite number of governmental powers, this potential seizure must be made from powers granted to the executive and judicial branches, or from powers retained by the people. The chief abuse mentioned in discussions of this subject is the overmatching of the executive by an overstrung legislature.⁶⁵ The authors of *The Federalist*, recognizing this situation, wrote: "The remedy for this inconveniency is to divide the legislature into different branches; and to render them, by different modes of election and different principles of action, as little connected with each other as the nature of their common functions and their common dependence on the society will admit."⁶⁶

⁶⁴ *Equity*, Vol. XX, p. 168.

⁶⁵ Barnett's *The Bicameral System in State Legislation in The American Political Science Review*, Vol. IX, p. 455; Burgess's *Political Science and Comparative Constitutional Law*, Vol. II, pp. 107, 108; Garner's *Introduction to Political Science*, pp. 432, 433; Gettell's *Introduction to Political Science*, p. 239; Walsh's *The Political Science of John Adams*, p. 332; *The Works of Daniel Webster* (Twentieth Edition), Vol. III, pp. 10, 11, 487.

⁶⁶ *The Federalist*, No. LI, in Lodge's *The Works of Alexander Hamilton*, Vol. XII, p. 45.

John Stuart Mill in England and John Adams in America are two of the chief exponents of the use of the divided legislature as a necessary part of the system of checks and balances.⁶⁷ Both were obsessed by the fear that a single legislative body, with no check but "the inadequate one of the virtue and good sense of those who compose it",⁶⁸ would become despotic. The consciousness, in the case of an individual or of an assembly, that it has only itself to consult — that it is wielding absolute power — can not fail to have an evil effect and will in time convert the form of government into an oligarchy. Such an assembly may vote itself perpetual (as did the English Long Parliament), make all laws, execute them, and adjudge all controversies in its own favor.⁶⁹ One English author says that the universal adoption of the bicameral system in the United States is due to our profound belief in the never-ending audacity of elected persons and to our theory that the one remedy and curb for it is the check of one chamber on the other.⁷⁰ Besides its appearance in the works of Mill and Adams, the argument favoring the establishment of a bicameral legislature as a part of the system of checks and balances is found with considerable frequency in the literature on the subject of legislative organization.⁷¹

⁶⁷ Adams's *The Works of John Adams*, Vol. IV, pp. 193, 196; Mill's *Considerations on Representative Government*, pp. 250, 251.

⁶⁸ Speech by James Wilson in Elliott's *Debates on the Adoption of the Federal Constitution*, Vol. V, p. 197.

⁶⁹ Adams's *The Works of John Adams*, Vol. IV, pp. 195, 196; Mill's *Considerations on Representative Government*, pp. 250, 251; Woolsey's *Political Science*, pp. 312, 313.

⁷⁰ Temperley's *Senates and Upper Chambers*, p. 34.

⁷¹ De Lolme's *The Constitution of England*, p. 157; Garner's *Political Science and Government*, p. 606; Luce's *Legislative Assemblies*, pp. 25, 37; Munro's *Government of the United States* (1925), p. 185; Temperley's *Senates and Upper Chambers*, pp. 28, 29, 140, 141; Walsh's *The Political Science of John Adams*, p. 329.

Daniel Webster's statement — "If all legislative power be in one popular body, all other power, sooner or later, will be there also"⁷²— sums up his opinion of this means of preserving the powers of each department from encroachments by the other departments. John W. Burgess in one rather striking sentence describes the situation as it appears to him — "By preventing legislative usurpation in the beginning, the bicameral legislature avoids executive usurpation in the end."⁷³ Frank J. Goodnow takes exactly the opposite point of view as to the purpose of a divided legislature when he says that such a body subjects the executive acts to control by a council whose composition he can not influence.⁷⁴

The necessity for a bicameral legislature in maintaining the independence of the three departments of government seems particularly evident in those governments which are based upon unwritten constitutions.⁷⁵ If there is a sharp line of demarcation between the spheres of the various departments and the constitution contains written guarantees designed to preserve these lines there is probably less danger of legislative usurpation by a unicameral assembly. But even a written constitution of such a nature is not enough to quiet the fears of some—they persist in the opinion that no democratic constitution can afford to dispense with this particular safeguard.

A further danger which appears in connection with the unwritten constitution, although not directly connected with the system of checks and balances, is the risk involved in permitting such a constitution to be fundamentally altered

⁷² *The Works of Daniel Webster* (Twentieth Edition), Vol. III, p. 11.

⁷³ Burgess's *Political Science and Comparative Constitutional Law*, Vol. II, p. 108.

⁷⁴ Goodnow's *Principles of Constitutional Government*, pp. 142, 143.

⁷⁵ Marriott's *Second Chambers* (Revised Edition), p. 62.

by the usual legislative machinery unless that department has an internal check.⁷⁶ If there are two houses there must obviously be a broad distinction between the resolutions of either chamber and binding laws, this distinction being apparent in the case of either constituent or statutory legislation. In any scheme of usurpation of power through changes in the organic law, written or unwritten, there will be a double security since the concurrence of two distinct bodies will be required.⁷⁷

AN OBSTACLE AGAINST CORRUPTING INFLUENCES

One reason, somewhat related in nature to the necessity for a system of governmental checks and balances, is rarely given for the establishment of two houses — namely, that such a division is an obstacle against corrupting influences directed against the legislature. Any combination of sinister interests will find much greater difficulty in managing two houses than one alone. Hence, the bicameral system prevents, to some extent at least, a manipulation of legislative powers by corrupt influences, either as represented in members of the legislature themselves, or in outside individuals or groups.⁷⁸

THE FEAR OF DEMOCRACY

The fear of democracy and a consequent distrust of the popularly elected body appears to be one of the reasons for the creation of two-house legislatures in certain cases, particularly in countries in which there is no written consti-

⁷⁶ Marriott's *Second Chambers* (Revised Edition), pp. 230, 231.

⁷⁷ Sidgwick's *The Elements of Politics*, p. 467.

⁷⁸ Bagehot's *The English Constitution* in Barrington's *The Work and Life of Walter Bagehot*, Vol. V. p. 236; Barnett's *The Bicameral System in State Legislation* in *The American Political Science Review*, Vol. IX, pp. 460, 461; Garner's *Legislative Organization and Procedure* in *Proceedings of the Illinois State Bar Association* (1917), p. 380; Garner's *Political Science and Govern-*

tution superior to the legislature.⁷⁹ This reason is apparently the basic one leading to Adams's opposition to single-chamber legislatures. One of Mill's fundamental maxims of government was that there should always be, in a democratic constitution, "a nucleus of resistance to the democracy" which was the predominant power in the constitution. If the people of such a democracy are willing to tolerate this restraint rather in the form of a second chamber than in any other shape, this, according to Mill, "constitutes a strong reason for having it in that shape."⁸⁰ In one of the "Rainbow Circle" papers a slightly different explanation for this distrust of the popularly elected body is offered. J. O. Herdman makes the statement that, since there is no rational halting place between autocracy and the general meeting of the people, representative government which is merely a substitute for the latter, should be under some form of control even though such control is exercised merely by another representative body.⁸¹

THE DIVISION OF WORK

The last of the series of possible reasons for having a bicameral legislature seems, in spite of its apparent obviousness, to have little weight, if we judge solely by the frequency with which it is mentioned in the works con-

ment, p. 611; Hodges's *Distrust of State Legislatures: The Cause; The Remedy in Proceedings of Sixth Meeting of the Governors of the States of the Union* (1913), p. 259; Luce's *Legislative Assemblies*, p. 41; Sidgwick's *The Elements of Politics* (Second Edition), p. 467; Story's *Commentaries on the Constitution of the United States*, Vol. I, p. 415.

⁷⁹ Marriott's *Second Chambers* (Revised Edition), p. 3; Matheson's *Second Chambers in the United States of America in Second Chambers in Practice*, p. 58; Temperley's *Senates and Upper Chambers*, p. 81; Walsh's *The Political Science of John Adams*, pp. 331, 334.

⁸⁰ Mill's *Considerations on Representative Government*, pp. 252, 253.

⁸¹ Herdman's *Representative Government: A Review of the Session and Its Discussions in Second Chambers in Practice* (Rainbow Circle), pp. 157, 158.

sulted. Only Robert Luce calls attention to the saving of time brought about by the resulting division of work. He mentions particularly that a measure rejected by one house need not take the time of the other.⁸²

CLASSIFICATION OF THEORIES FOR QUANTITATIVE ANALYSIS

Since this study proposes to be a quantitative analysis of the workings of the bicameral principle in the General Assembly of Iowa, it is necessary to select from the whole list of theoretical arguments in favor of bicameralism those which have a possible application in Iowa and which, at the same time, are susceptible of measurement by the proposed method. Of the theoretical justifications of the bicameral system which may have a bearing in Iowa, some, for various reasons to be noted later, can not be measured quantitatively. This is not to be interpreted as an apology for the method in question. The fact that a problem can not be completely proven by a given method is not a valid reason for refusing to use such a method as extensively as possible in its solution. The reasonable attitude would appear to be the acceptance of the use of quantitative methods whenever the material is susceptible of that type of treatment and proper data are available, and the use of other suitable methods in those phases of the problem to which the quantitative method is inapplicable. The combination of results derived from this supplementary research method should be more valuable from a practical point of view than the results from either alone.

Thus no attempt is made to entirely discredit the theoretical statement of the values of bicameralism. The purposes of this study of the subject are rather complementary than antagonistic. So much has been offered by eminent political scientists in the line of theoretical defense of the

⁸² Luce's *Legislative Assemblies*, p. 41.

system of bicameralism that it would seem almost impossible and quite unnecessary to add to it. But in the other field of objective analysis of these theories the barest beginnings have been made. If a technique of research can be worked out and applied to a sufficient number of bicameral legislatures, a mass of comparable factual material of enormous value will be accumulated. Incidentally, the result may serve to verify the theoretical arguments or to prove that they are erroneous, either result being equally valuable provided that a nearer approach is made to a discovery of the true value of the system.

After stating the arguments offered in support of bicameralism, those which can be studied by the chosen method have been selected. All of the theories may be classified in four groups with respect to their availability for consideration in a quantitative analysis of bicameralism in the Iowa General Assembly.

In the first class are those theories which can by no possibility have any application to Iowa. An example of such a theory is the use of bicameralism to provide one house representing aristocracy and another representing the commonalty. Even though an objective study could be made of this, the conditions necessary to the existence of a legislature on this basis are not found in Iowa. In the section of this chapter entitled *The Representation of Diverse Interests* several theoretical uses of bicameralism are cited which are clearly of the nature just described.

The second class contains theories which may be exemplified in the Iowa General Assembly, but which are unsuited to any means of quantitative study yet devised. No attempt has been made in this dissertation to measure the application of such theories. The four sections of this chapter entitled *The Influence of History; As a Part of the System of Checks and Balances; An Obstacle Against Cor-*

rupting Influences; and *The Fear of Democracy* contain statements of theory which appear to belong to the second class.

The third class of theories includes those which could be studied in Iowa and to which the proposed method is applicable, but with regard to which the available data are lacking. Several theories of this kind are stated in the second section of this chapter, *The Representation of Diverse Interests*, and the last section, *The Division of Work*, is also in the third class. To illustrate this classification, one chamber of the Iowa General Assembly may represent wealth. Such a type of representation would lend itself readily to statistical description, but complete data relating to the personal wealth of all members of the legislature would be necessary, and this material is not available.

Finally, certain of the arguments for bicameralism are of a nature susceptible of quantitative measurement, and the data for conducting such a study are available in Iowa. It is with this class of theories that the remainder of this thesis is concerned. Most of these theories are stated in the first two sections of this chapter, entitled *Check on Hasty, Ill-Considered Legislation*, and *The Representation of Diverse Interests*.

Thus the first group has no interest in an Iowa study. Proof of the validity of the second group of theories must continue to depend upon the historical method which ultimately comes to a matter of opinion regarding the relative influence of established facts. It is unfortunate that data do not exist in some cases to make objective study possible, but several of the arguments most frequently and most widely advanced can be studied quantitatively in the Iowa General Assembly and it is with this group that the remainder of the study here undertaken will be concerned.

II

THE REPRESENTATION OF DIVERSE INTERESTS
AND LEGISLATIVE ABILITY

As has been so frequently stated, the bicameral legislative system is inherently adapted to giving representation to various factional and interest groups. For example, farmers might be represented in one house while the second chamber might be representative of mercantile interests, or each of the two houses might represent different geographical areas, one based upon urban constituencies and the other on rural population. While no such complete application as either of the two just suggested has been made, or possibly even seriously considered, yet every legislature, unicameral or bicameral, necessarily contains members with various economic interests, and every member is, of necessity, a resident either of a city or of a rural area. Furthermore, a careful analysis of any bicameral legislature might reveal, although there was no conscious intention nor desire to produce such an effect, that economic interests and residence were quite differently represented in the two chambers.

The discovery of such a condition would be regarded by some persons as an argument for, and by others as an argument against, the bicameral system. The point of view depends on the theory of representation. That is, if the interests of urban and of rural residents are held to be of a different nature and of sufficient importance to warrant having a separate branch of the legislature to represent each, the bicameral system would obviously be advocated. On the contrary, if it is determined that the fundamental interests and needs of all occupational groups are essentially identical, and an analysis of a two-chambered legislature revealed that certain of these groups controlled one

house while other groups predominated in the second house, the decision would not favor the bicameral system.

Another popular theory favoring the bicameral system is founded upon the possibility of representation based upon differences in legislative ability. The idea is to have one house represent wisdom and experience and mature judgment while the other house represents the attitudes of the people. Various qualifications of members tend to establish such a distinction in the representative character of the two branches. Age, education, and legislative experience are characteristics of members of the Iowa General Assembly which can be studied objectively to measure possible differences between the House and the Senate.

The purpose of this study is primarily the description of a condition — not the determination of the significance or value of the condition as it is found to exist. The problem is to describe the two houses of the General Assembly of Iowa in definite terms, statistically expressed, in order to discover whether there exist measurable and considerable differences of any kind between the two bodies. The interpretation to be made of those similarities and differences which are demonstrated is another problem — one to which a different type of treatment is applicable than that used to describe the condition existing.

OCCUPATIONS

The problem of occupational representation in legislative assemblies has attracted much attention in recent years, and many proposals have been advocated which are based upon the desirability of securing such representation. Although no attempt is made through constitutional or other means to secure this type of representation in Iowa, the General Assembly must necessarily represent occupational interests through its members who are at the same time

members of different occupational groups in the State. Even though a banker, for example, is not chosen as the legislative representative of bankers, but rather as a representative of all persons in his district regardless of their occupational interests, he nevertheless does carry into his legislative duties the influence of his previous occupational contacts, and he is, to a greater or less degree, representing all of the bankers in the State.

Every member of the General Assembly, in each of the fifteen sessions under consideration, gave his occupation, and these occupations are listed, together with other similar personal data, in the *Iowa Official Register*. Some members gave what is designated in Table I as a "single" occupation (lawyer, farmer, etc.). Even more frequently a "double" occupation was given (farmer-banker, lawyer-farmer, etc.), and in several cases there are "triple" occupations (farmer-lawyer-real estate, etc.). These multiple occupations tend to complicate the situation. Probably cases would be rare in which the member who says that he has two occupations feels exactly the same interest in each, has the same financial dependence on each, and devotes an equal amount of time to them. We do not know whether a "banker-farmer" is fifty per cent, or five per cent, "banker" or "farmer", nor how he will vote upon legislation in which the interests of the banker and the farmer conflict. Furthermore, of a given number of "banker-farmers" how many will possess an identical combination of interests in the two occupations? This problem obviously can not be solved to complete satisfaction nor can the effect be definitely determined, but that it exists must be recognized. There seems to be but one way to remove, at least partially, the effect of the situation. If a "banker-farmer" can not be resolved into his constituent elements in order that his true influence may be determined so far as his economic

interests are concerned, the next best thing to do seems to be to consider such a multiple occupation as a definite, distinguishable occupation in itself. To illustrate, banking is one occupation, farming is another, and "banking-farming" is still a third. Members can vote as bankers, or as farmers, or as "banker-farmers", as a result. Although this is not advanced as a perfect solution of the difficulty, it is probably the most reasonable course to be chosen for the present purpose, and no attempt will be made in the case of the so-called "double" and "triple" occupations to resolve them into two or three separate occupations, in order to combine or to compare them with single occupations.

The following table shows the number of occupations represented in the Iowa General Assembly, and in the Senate and the House of Representatives, respectively, classified as single, double, and triple occupations. Data are based upon the occupations of members in the Twenty-eighth to the Forty-second General Assemblies, inclusive.⁸³

TABLE I

	NUMBER OF SINGLE OCCUPATIONS REPRESENTED	NUMBER OF DOUBLE OCCUPATIONS REPRESENTED	NUMBER OF TRIPLE OCCUPATIONS REPRESENTED	TOTAL
General Assembly	59	72	21	152
Senate	26	29	10	65
House of Representatives	51	64	13	128

⁸³ All tabular data in Chapters III and IV are based upon material in the following Iowa publications:

- (1) *Iowa Official Register*, 1901 to 1928 inclusive.
- (2) *Journal of the House of Representatives*, from the Thirty-eighth to the Forty-second sessions, inclusive.
- (3) *Journal of the Senate*, from the Thirty-eighth to the Forty-second sessions, inclusive.

Summing up all the different occupations listed by members of the Senate and of the House during the fifteen sessions, and counting a double or a triple occupation as one, one hundred and fifty-two different occupations appear. The Senators represent sixty-five occupations and the Representatives one hundred and twenty-eight.

To the observer interested in discovering a legislature which actually gives a broad occupational representation, the situation as described above would seem at first glance to be almost ideal. A more careful consideration, relating to the number of members who represent the various occupations, shows an actual condition of a surprisingly different nature than the one appearing to exist.

TABLE II

TYPE OF OCCUPATION	PERCENTAGE OF MEMBERS IN SENATE	PERCENTAGE OF MEMBERS IN HOUSE OF REPRESENTATIVES
Lawyers	31.2	15.1
Farmers	13.1	32.3
Bankers	7.6	6.2
Merchants	6.9	5.3
Farmer-stockmen	4.4	5.0
Farmer-bankers	3.6	1.9
Editors	3.0	3.2
Manufacturers	2.9	.8
Lumbermen	2.2	.9
Physicians	2.2	2.8
Real estate dealers	1.0	1.4
Real estate-farmers	.6	.8
Total in above occupations	80.7	75.7
Total number in all other occupations	19.3	24.3

(4) *Index and History of Senate and House Bills and Joint Resolutions* (Final Edition). Published for each General Assembly of Iowa, from 1915 to 1927, inclusive.

(5) Senate and House Bills, Thirty-eighth to Forty-second sessions, inclusive.

The preceding table shows the percentage of members of the Senate and of the House of Representatives of the Iowa General Assembly (Twenty-eighth to Forty-second sessions, inclusive) who gave as their occupations the twelve occupations listed above. These are the only occupations which were represented, on an average, in the fifteen legislatures under consideration, by one or more members in each General Assembly.

In the average Senate, during the entire fifteen legislatures, only ten occupations out of a total of sixty-five had one or more representatives. That is, fifty-five occupations were not represented at all in the Senate, in one or more sessions during the period. To further emphasize this inequality, 80.7 per cent of the members came from ten occupational groups, leaving only 19.3 per cent of members to be distributed among the remaining fifty-five occupations.

A more fairly representative condition might be expected in the House, with its larger membership, but the facts do not support the expectation. In the average House only eleven occupations are found with one or more representatives, and 75.7 per cent of the total membership is found in these eleven groups, on the average. That means that the remaining 24.3 per cent of members must represent one hundred and seventeen other occupations.

The occupations which have, on the average, one or more members in both the Senate and the House are almost identical. One exception is found in the House, where "real estate" and "real estate-farmer" each averages at least one member, although these two occupations do not have even this slight representation in the Senate. The other exception is found in the Senate, where lumbermen average one member per session, although they have less than this average in the House.

The actual existing condition is consequently not de-

scribed with sufficient fullness and accuracy when the statement is made that one hundred and fifty-two different occupations are represented in a continuous series of fifteen legislatures. This is a half-truth, that creates a false impression. Actually only ten or eleven of these one hundred and fifty-two occupations are represented by one or more members in the average legislature, while more than one hundred other occupations often have no representation at all, as is shown by the fact that they average less than one member per session. This is a significant fact since it demonstrates that, although a really considerable number of occupations are occasionally represented, only a relatively small number of them have any real strength in either house. Such a condition is not to be described as "occupational representation" in any complete sense of the term, and in this respect one house differs but little from the other.

Up to the present point, a condition of great similarity between the two houses has been revealed. Consulting Table II, which gives a list of the occupations which have been the subject of the preceding discussion, together with the percentage of members of the Senate and House found listed under each group, several differences appear.

In so far as bankers, merchants, farmer-stockmen, farmer-bankers, editors, manufacturers, lumbermen, physicians, real estate men, and real estate-farmers are concerned, there is not more than a 2.2 per cent difference in any case between the number of men in these occupational groups in the two houses. Taken together, the ten groups, plus the twenty per cent of members representing all other occupations, constitute considerably more than half the membership in both houses. But in both Senate and House about forty-five per cent of the members are either lawyers or farmers, and it is within this large portion of the total that

the one really considerable difference in occupational representation is found. The Senate has about twice as many lawyers in proportion to its size as the House, and the House has almost three times as many farmers as the Senate. In either case, approximately one-third of the total membership comes from one occupation—the Senate is about one-third lawyers and the House one-third farmers.

It must be borne in mind that the situation just described is based upon *averages* of membership in fifteen legislatures. If each individual legislature is examined, some considerable variations will be observed. (See Table III.)

The following table shows *percentages* of total membership of the Senate and of the House of Representatives of the Iowa General Assembly (Twenty-eighth to Forty-second sessions, inclusive) in each of the occupations listed.

TABLE III

General Assembly	Lawyers		Farmers		Bankers		Merchants		Farmer-Stockmen		Farmer-Bankers	
	S.	H.	S.	H.	S.	H.	S.	H.	S.	H.	S.	H.
28th	48	21	4	25	8	11	12	4	10	1	0	0
29th	44	24	10	17	10	11	6	9	4	4	0	2
30th	30	16	10	22	18	9	14	9	8	6	2	3
31st	30	15	5	18	14	6	12	8	10	7	4	4
32nd	30	14	8	33	12	5	8	2	6	9	2	1
33rd	36	16	8	28	10	8	4	4	2	4	2	2
34th	36	15	6	24	4	4	6	5	6	8	0	2
35th	34	14	6	24	4	4	6	4	4	10	2	3
36th	36	12	4	27	8	5	8	7	0	4	4	2
37th	34	16	2	30	6	6	10	3	4	9	10	2
38th	34	22	16	26	6	6	6	6	4	4	8	3
39th	30	10	12	39	8	8	4	4	10	2	4	3
40th	22	11	24	58	4	7	4	4	4	1	6	0
41st	10	10	46	57	2	2	2	6	2	4	6	1
42nd	14	11	36	57	0	2	2	5	2	2	4	1
Aver.	31.2	15.1	13.1	32.3	7.6	6.2	6.9	5.3	4.4	5.0	3.6	1.9

General Assembly	Editors		Manufac-turers		Lumbermen		Physicians		Real Estate Dealers		Real Estate-Farmers	
	S.	H.	S.	H.	S.	H.	S.	H.	S.	H.	S.	H.
28th	4	1	0	1	2	3	6	8	0	2	0	1
29th	4	4	4	2	2	2	2	5	0	3	0	0
30th	2	3	4	1	4	2	2	6	2	2	0	0
31st	2	3	4	1	4	1	2	4	0	1	0	0
32nd	4	5	2	1	8	1	8	3	4	0	0	1
33rd	2	2	2	3	6	1	8	3	0	1	0	1
34th	2	3	2	2	2	1	4	0	0	2	0	1
35th	4	2	4	1	2	1	2	2	0	1	0	2
36th	4	2	0	1	2	0	0	3	0	1	2	1
37th	6	5	0	0	2	1	0	1	0	1	2	3
38th	4	4	0	0	0	1	0	2	2	2	0	1
39th	2	8	4	0	0	0	0	1	2	1	2	0
40th	2	4	8	0	0	0	0	2	4	1	4	0
41st	2	2	6	0	0	0	0	1	0	2	0	0
42nd	2	1	4	0	0	0	0	1	2	2	0	1
Aver.	3.0	3.2	2.9	.8	2.2	.9	2.2	2.8	1.0	1.4	.6	.8

In the Twenty-eighth and Twenty-ninth General Assemblies, the proportion of lawyers in both Senate and House is much larger than the average stated above, and the proportion of farmers much smaller. On the contrary, in the Forty-first and Forty-second General Assemblies, the number of lawyers is much below average and the number of farmers much above. The ten legislatures from the Thirtieth to the Thirty-ninth inclusive, approximate the average for the period with the exception of the number of farmers in the Senate. The entire situation represents a more or less gradual change of personnel, from an occupational point of view, ranging from relatively many lawyers and few farmers, through a long period in which the average ratio was maintained, to a condition characterized by relatively few lawyers and many farmers. This is significant,

in that it shows that the average for the period must not be taken as representative of each individual legislature, but merely as illustrative of a tendency throughout the period.

If the percentage of lawyers and of farmers in any one legislature, in either house, is considered, a similar condition within the two bodies is found, without exception. If a large number from the lawyer group is found, there will be a small number of farmers, and *vice versa*. For example, the Senate of the Forty-first General Assembly had ten per cent lawyers and forty-six per cent farmers, a situation which varies widely from the average for the period. In definite contrast to this, the Senate of the Twenty-eighth General Assembly had forty-eight per cent of lawyers and only four per cent of farmers. A similar situation, though one which does not present such an extreme difference, can be illustrated by means of the House statistics. It would appear then that each of these occupations gains at the expense of the other.

Furthermore, the increases and decreases in the relative numbers of lawyers and farmers in the two houses is approximately parallel as has been suggested in another connection. From the Twenty-eighth to the Forty-second General Assembly, the proportion of lawyers in both Senate and House has been decreasing, although the general decline has been marked by temporary increases. And, just as the relative number of lawyers has shown this steady, marked decrease during twenty-seven years, the relative number of farmers has continually grown in both houses.

This marked relationship between the representation from two occupational groups can not be entirely accidental. The inverse ratio between the percentages of lawyers and farmers has been a persistent characteristic of both houses for fifteen legislatures. That the cause lies outside the legislature — probably in the character of economic

opinion at the time of each particular choice of representatives by the electorate — is strongly suggested by the fact that parallel increases and decreases, of farmers and of lawyers respectively, have taken place in the two houses simultaneously. For some reason, which is outside the scope of this study, many more lawyers are members of the Senate than of the House, and many more farmers are found in the House than in the Senate. And for an equally unknown reason, the number of lawyers in both houses has been decreasing and the number of farmers increasing. The former situation illustrates the only considerable difference to be discovered between the two houses, from the point of view of the occupations represented by the members. The second situation illustrates a similarity in tendency, which seems to indicate that the cause for the existing condition of occupational representation, as it has been described, lies outside the bicameral system and is operative in the choice of representatives both in the Senate and in the House. Whatever the cause, the interest in connection with a study of the bicameral system lies in the demonstration of similarity in tendency between the two houses. Whatever economic cause influences the Senate appears to influence the House with approximately equal force, and to exert a constant tendency to make the two bodies more alike all the time.

In summarizing, one marked difference between the make-up of the houses undoubtedly does exist; that is, in the Senate about one-third of the members are lawyers and in the House about one-third are farmers. This is both an average difference for the whole period, and a difference in each separate legislature, within a wide range of variation, and with some exceptions previously noted. The bicameral organization of the legislature affords the opportunity for such a situation but does not seem to be the cause of it.

In contrast with the one difference just noted, several similarities have been shown. In the first place, the same tendency toward a decrease in lawyers and an increase in farmers has operated in both houses throughout the period. Secondly, approximately half the members of both houses, on the average, are farmers and lawyers, whatever the variation in ratio between the two occupations may be within the group. Furthermore, only ten or eleven occupations have an average representation of one or more members in both houses, and the list of these occupations for the two houses is almost identical. In the fourth place, approximately eighty per cent of the total membership of both Senate and House is found in these ten or eleven occupations, while the remaining twenty per cent represents a very much larger group of occupations, no one of which, on an average, has one or more members in either house. And, finally, both the Forty-first and the Forty-second General Assemblies, which vary widely from the averages stated for the period, present a Senate and a House having almost the same make-up from an occupational standpoint. This may, or may not, be an indication of a newly-established condition which will persist, but, whatever the final result, the existence of even two such legislatures is illustrative of an operative tendency to produce two houses identical in their make-up, in so far as members' occupations are concerned, and a consequent tendency to destroy the fundamental principle of the bicameral system — that the two houses shall represent varying interests and points of view.

RESIDENCE

Residence of members of the legislature is so closely connected with their occupations that it might be considered as merely a result of the latter. This would not be true, probably, in some legislatures in other States. But in a legis-

lature having a large number of farmers as members it is quite obvious that there will be approximately the same number of members having a rural residence as there are who follow farming as an occupation. Practically all Iowa farmers live in the country and very few people having any other occupation are rural residents. As a result, any differences in occupations shown to exist between the Senate and House will probably be very closely paralleled, as a matter of course, by differences in urban and rural residence of members.

In considering the residence problem, the Iowa classification of communities is used. Incorporated municipalities having less than two thousand people are known as towns; those having more than two thousand but less than fifteen thousand are cities of the second class; and those with a population of more than fifteen thousand are cities of the first class. Rural residents are those persons who live outside incorporated communities.

In determining the residence of individual members, only one difficulty presented itself. All members who gave their occupations as farming, gave as their residence the city or town which was their post-office address. Yet it was clearly apparent that these men were not living in the city at all — they might be living ten or fifteen miles away from it, and to classify them, on the basis of their post-office addresses, as urban residents would be a serious error. In the volumes of the *Iowa Official Register* containing data relating to the General Assemblies from the Thirty-second to the Forty-second, inclusive, there is a short biography of each Senator and Representative. In almost every case it was possible, by consulting this biography, to discover whether the man in question, if he had given farming as an occupation, was really living on the farm or whether he was merely a farm-owner who lived in town and rented his farm. This method

of determining residence of farmers in the legislature is certainly not a perfect one, but, as a matter of fact, there were very few cases in which there was much doubt as to where the member in question was living. For this reason the inaccuracy present in the reported results seems to be rather small. The results are not tabulated for any legislatures before the Thirty-second because the *Iowa Official Register* before 1907 does not contain individual biographies and no check could be made on the residence of farmers from the Twenty-eighth to the Thirty-first General Assemblies. This is rather unfortunate because the occupation statistics are based upon fifteen legislatures and it would be both more interesting and more valuable to have a set of residence statistics exactly comparable with those based upon occupations.

Table IV shows the result of the tabulation of residence for the eleven legislatures from the Thirty-second to the Forty-second inclusive stated in *percentages*.

TABLE IV

SENATE				
NUMBER OF GENERAL ASSEMBLY	FIRST CLASS CITY	SECOND CLASS CITY	TOWN	RURAL
32nd	12	48	22	18
33rd	12	34	40	14
34th	18	32	34	14
35th	19.6	35.2	31.3	13.7
36th	24	38	30	8
37th	26	44	20	10
38th	22	36	24	18
39th	20	36	22	22
40th	13.7	33.3	15.6	37.2
41st	14	22	20	44
42nd	19.6	17.6	35.2	27.4
Average	18.1	34.2	26.6	20.5

HOUSE OF REPRESENTATIVES				
NUMBER OF GENERAL ASSEMBLY	FIRST CLASS CITY	SECOND CLASS CITY	TOWN	RURAL
32nd	9.2	25	25	40.7
33rd	10.1	30.5	25	34.2
34th	11.1	27.7	24	37.0
35th	12.8	21.1	29.3	36.6
36th	14.8	16.6	28.7	39.8
37th	14.8	19.4	25.9	39.8
38th	15.7	25.0	29.6	29.6
39th	11.9	12.8	32.1	43.1
40th	8.2	14.6	22.9	54.1
41st	9.2	14.8	18.5	57.4
42nd	9.9	14.4	18.0	57.6
Average	11.6	20.2	25.3	42.8

One fact is quite evident — that the Senate is the urban body while the House represents the rural districts and towns. About fifty-two per cent of Senators and less than thirty-two per cent of Representatives come from cities (first and second class combined); approximately one-fourth of the membership of each house comes from towns; approximately twenty per cent of Senators and forty-two per cent of Representatives are rural residents. With the exception of the representation from towns, the differences are marked in the various classes. Furthermore the magnitude of the differences is such as to make them really significant.

If a comparison is made of the Senate statistics for the several sessions, certain interesting conditions are found. The number of members from first class cities gradually increased for a long period, reaching a maximum in the Thirty-seventh General Assembly. Since that time there has been a rapid decline — from twenty-six per cent in the Thirty-seventh, to fourteen per cent in the Forty-first Gen-

eral Assembly. A five per cent increase appears in the Forty-second General Assembly. The membership from second class cities remained relatively stable until the Forty-first General Assembly which contained ten per cent less members in this group than were found in it in any preceding sessions. A further decrease occurred in the Forty-second General Assembly. No such marked tendencies toward increase or decrease appear in the case of members from towns, but wide variations from the average appear, and a marked increase is apparent upon comparison of the Fortieth, Forty-first, and Forty-second General Assemblies, the Fortieth being eleven per cent below average, and the Forty-second ten per cent above. In marked contrast to these decreased numbers from first class and second class cities is the increase shown in the rural group. No legislature before the Fortieth had more than twenty-two per cent of its members from rural areas, but thirty-seven per cent of the members of the Fortieth General Assembly, forty-four per cent of the Forty-first General Assembly, and twenty-seven per cent of the Forty-second General Assembly were in this group. This corresponds roughly with the occupational representation of lawyers and farmers, as might be expected.

The situation in the Senate may be summarized by stating that, during the period under consideration, there has been a slight tendency to decrease the membership from first class and from second class cities. At the same time the representation from towns has remained relatively stable, and there has been a very marked proportional increase in the number of rural members in the Fortieth, Forty-first, and Forty-second General Assemblies.

It will not be necessary to describe the situation in the House in so much detail, since very similar tendencies are apparent. Although the Senate always has a larger pro-

portion of its membership from first class and second class cities than the House has, yet the tendencies to increase and decrease the membership in these groups are paralleled in the two houses. Also in both Senate and House the number of members from towns has changed very little during the period. The same tendency to increase the rural membership is likewise shown in both houses. The condition can be described as one of marked difference between the chambers, accompanied by certain tendencies toward increase and decrease in the membership of the several groups, which tendencies are so nearly parallel in the two houses as to have little effect upon the differences between them. Starting with certain initial differences, variant tendencies of approximately equal force have operated upon each house producing a final situation showing almost the same degree of difference between the houses as was found in the first place. For this reason the variations in representation in either the Senate or the House need not be considered in a comparative study, and only the differences *between* the two houses — not *within* them — are of importance in the present connection.

The question inevitably arises — what do these differences between the Senate and House with respect to residential representation mean? Granting that the Senate does have more city members and the House more rural members, can the maintenance of two houses to perpetuate this difference be justified, or is the condition harmful, or merely incidental and unimportant? This goes back to the fundamental question whether interests and opinions of people in rural and in urban districts are different because of the places in which they live, or whether in general they are identical in nature. If the question had been asked fifty years ago, without doubt the answer would have been that real, deep-seated differences did exist between city and farm

dwellers. In these days of telephones, daily papers, automobiles, and radio — in general, of increased contacts between rural and urban residents — the answer can not be given with the same degree of positiveness. Probably if differences do exist they are due to other causes than residence, such as occupational; and rural and urban residence is only an objective measure of difference of opinion based upon an interrelationship of occupation and residence.

Considering also the economic relationships between Iowa towns and cities and the surrounding rural areas, there must be even less disposition to think that the people in the two types of residence areas are different, either in fundamental or in superficial interests.

Perhaps the difference in residential representation is entirely without intrinsic meaning — it may be merely the result of numerous causes independent of the organization of the legislature. Possibly, because agriculture is the predominant occupation in Iowa, the people have chosen many farmers as legislators, and the high proportion of rural residence is merely a result of this influence. The difference in the Senate and House terms may indirectly cause a difference in residential representation. A farmer may be more willing to run for a short term office than a lawyer or a banker. This would result in a heavy rural representation in the House and many urban residents in the Senate. Also a rural resident may find it easier to seek nomination and election in a small district where it is possible for him to have a wide acquaintanceship, and for this reason country-dwellers possibly choose to run for the House rather than for the Senate.

The preceding attempt to suggest reasons for the differences existing in the Senate and House membership is intended to prevent an over-emphasis upon the significance of this difference. There are apparently many reasons for

considering it as a purely secondary result of many factors other than the bicameral system which determine the choice of Senators and Representatives in this State. And there is very little reason to believe that the representation of cities, towns, and rural areas as such is in itself a primary motive in the choice of representatives in the two houses.

One of the alleged justifications of the bicameral system is the possibility of having one house represent wisdom, experience, and mature judgment while the other house represents the attitudes of the people. There are various mechanical arrangements which are calculated to produce this effect. The senate in Iowa is apparently planned to be the "upper" chamber of the General Assembly. The term of Senators is four years, the term of members of the House, two; Senators must be at least twenty-five years of age, Representatives only twenty-one. The Senate, moreover, has fewer members, chosen from larger districts, a situation which is generally considered to result in the choice of more prominent men for the position. In addition, the prestige of the Senate is enhanced by its power of confirming the Governor's appointments. Custom adds to the above influences since it is quite apparent that the social and political status of Senators is, with a few exceptions, much superior to that of House members. Summarizing these provisions, it seems quite evident that their purpose is to secure a more mature, experienced upper house; and the problem discussed in the following pages is whether the constitutional and legal arrangements, in actual operation, have secured the desired results, or whether the two houses are similar in so far as the qualities in question can be measured, in spite of the arrangements designed to produce differences.

The major difficulty in this connection is twofold. In the first place, what are these desirable qualities — wisdom,

experience, mature judgment? And, even if a definition of them could be agreed upon, on what sort of an arbitrary objective basis can these abstract qualities be measured to produce results which can appear in statistical form? This problem of definition and measurement is appearing in all fields relating to the scientific study of human characteristics and, in the present undeveloped state of individual psychology, final and conclusive results can probably not be obtained. But, in the case of the Iowa General Assembly, data are available which appear to have some relationship to the qualities under discussion, and it is consequently possible to compile statistics which will give some indication as to the differences and similarities existing between the two houses in respect to these important legislative qualities. The results will therefore have a bearing on the operation of the bicameral principle.

Although from a scientific point of view, the data are in many respects unsatisfactory, one great advantage can be discovered in them. It may be assumed that the different mechanical arrangements relating to terms, age, prestige, and function which are mentioned as existing in this State are not purely accidental, but are designed with a conscious purpose to produce two differently constituted legislative bodies. To some extent these differences which are thus purposely produced are intended to result in differences in wisdom and experience and maturity of judgment. Fortunately the available data relate in part to these very arrangements. There are tables, in the volumes of the *Iowa Official Register*, giving the ages, the number of terms and sessions of legislative experience, and the types of schools attended by the individual members of the Senate and of the House. Consequently, it is possible to measure statistically the differences in these three respects and to state with some degree of certainty that the present arrange-

ments do, or do not, produce one house having members of greater age, more legislative experience, or better educational opportunities than the other house.

Although wisdom, from a legislative standpoint, is certainly not synonymous with, or even directly dependent upon, the age of a member, his academic training, or years of experience in the legislature, yet it is a rather natural opinion that, all other things being equal, these influences may have on the whole some important bearings upon legislative attitudes and abilities. The member who has reached an age sufficiently advanced to give him experience in economic and social life, who has a college education, and who remains in the legislature for several terms would seem, on the whole, more likely to evidence such qualities as wisdom and experience and mature judgment than would the member lacking such qualifications.

As has been mentioned, data are available which make possible a statistical comparison of the two houses of the General Assembly with respect to age of members, legislative experience, and type of schools attended. The following sections of the chapter will contain a discussion of this material. There is no intention to express the opinion that these are the *sole* criteria which it would be desirable to use in making such a comparison. The reason for using these three, and these only, is very simple — there is no other material available, concerning members of the Assembly, which can be seen to have any relationship to the problem under discussion. Consequently the results, whether positive or negative, must not be considered as final or completely adequate, since there are obviously many other characteristics and qualifications which should be measured and compared to present a complete picture of the situation. Certain claims can be advanced, however, to prove that a comparison of ages, legislative experience, and

educational opportunity may be indications of differences and similarities which exist with respect to wisdom and experience and judgment. Two of these qualifications are set up in the Constitution of Iowa for the purpose of producing two differently constituted houses, for the express purpose, no doubt, that one chamber may be representative of the wisdom, experience, and mature judgment of the Commonwealth, while the other may be more responsive to popular will. Furthermore, there is the satisfaction of knowing that the results obtained from this study are as complete and as conclusive as it is possible to obtain with the available data.

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SOME PUBLICATIONS

Warpath and Cattle Trail. By Hubert E. Collins. New York: William Morrow and Company. 1928. Plates. Although Hubert E. Collins, a New York engineer who was born in Iowa, is the author of a number of technical books, *Warpath and Cattle Trail* is the first record of the adventures of his unusually exciting life. Urged by Hamlin Garland to record his experiences the author has succeeded in telling an interesting story of the old West. As a boy of ten he went from Corning, Iowa, to his brother's ranch in Oklahoma, and there lived for a year or more surrounded by "cow-boys, red men, bandits and other dramatic and discordant types of the border." His book, declares Hamlin Garland, "is a gusty record of joyous adventure — a series of youthful experiences upon which the gray-haired engineer of to-day dwells wistfully. It was a rough life, but it did the boy no harm, and it forms the basis of an interesting and valuable book."

Dictionary of American Biography. Edited by Allen Johnson. New York: Charles Scribner's Sons. 1928. Pp. Vol. I, 660. The first volume of the *Dictionary of American Biography* contains biographies from Abbe to Barrymore. The need of an authoritative dictionary of national biography comparable to the British *Dictionary of National Biography* has long been felt by American scholars. It was this need that led the American Council of Learned Societies to appoint a committee to formulate plans for the preparation of a comprehensive *Dictionary of American Biography*. Through the public spirit and generosity of Adolph S. Ochs, controlling owner and publisher of the *New York Times*, the New York Times Company agreed to furnish five hundred thousand dollars to defray the cost of the project. In February, 1926, editorial offices were opened in Washington, D. C. A careful and comprehensive plan was adopted for the selection of names to be included in the dictionary. The biographies have been prepared

by well-known writers in the field of national and State history throughout the United States. Every effort has been made to secure fresh and independent accounts of those selected and to insure accuracy of detail. "So far as knowledge permits the *Dictionary* has endeavored to re-create and re-interpret the lives of the makers of American life and culture."

Part 2 of Volume XXXVII of the *Proceedings of the American Antiquarian Society* contains an account of the annual meeting held in Worcester, Massachusetts, on October 19, 1927.

The Location of the Chicago Portage Route of the Seventeenth Century, by Robert Knight and Lucius H. Zeuch, has been published by the Chicago Historical Society.

Captain Hobson and the New Zealand Company: A Study in Colonial Administration, by J. C. Beaglehole, has been printed as Numbers 1-3, Volume XIII, of the *Smith College Studies in History*.

The Mentors of Mussolini, by William K. Stewart; and *The Philosopher of Jeffersonian Democracy*, by Benjamin F. Wright, Jr., are two leading articles in *The American Political Science Review* for November, 1928.

The Protection of Citizens Abroad by the Armed Forces of the United States, by Milton Offutt, has been published as Number four in Series XLVI of the *Johns Hopkins University Studies in Historical and Political Science*.

Common Law in Thirteenth Century English Royal Forests, by Elizabeth Cox Wright; and *A Study of Elizabethan Ship Money 1588-1603*, by Ada Haeseler Lewis, have been published by the University of Pennsylvania.

The Lincoln Centennial Association has published a booklet *Lincoln in the Year 1854*. This is the fourth of a series of similar booklets giving the day-by-day activities of Abraham Lincoln for the years, 1858, 1859, 1860.

Status of Roman Catholicism in Canada, by William Renwick Riddell; *The Religious Issue in National Politics*, by Edward John Byrne; and *Spanish Rule in the Netherlands Under Philip II*, by Sr. M. Constance, are the articles in *The Catholic Historical Review* for October, 1928.

Byzantine Imperialism in Egypt, by Arthur E. R. Boak; *The British Government and Neutral Rights, 1861-1865*, by James P. Baxter; and *The Central Theme of Southern History*, by Ulrich B. Phillips, are the leading articles in *The American Historical Review*, for October, 1928.

Narratives of Captivity Among the Indians of North America, by Clara A. Smith, has been issued by The Newberry Library of Chicago as a supplement to a similar volume published in 1912. This booklet contains a list of books and manuscripts on the subject in the Edward E. Ayer Collection in The Newberry Library.

The James A. Graham Papers, 1861-1884, edited by H. M. Wagstaff, have been published as Number two in Volume XX of *The James Sprunt Historical Studies*. These studies are published under the direction of the Department of History and Government of the University of North Carolina.

John B. Russwurm, by William M. Brewer; *The Operation of the Mandate System in Africa*, by Rayford W. Logan; *The Mohammedan Slave Trade*, by James Hugo Johnston; and *Slaveholding New England and its Awakening*, by Lorenzo J. Greene, are the articles in *The Journal of Negro History* for October, 1928.

The Quarterly Journal of Economics for November, 1928, contains the following articles: *The Sherman Act: Its Design and Its Effect*, by Myron W. Watkins; *Water and the Course of Empire in North Africa*, by Melvin M. Knight; and *The Provision for Agricultural Credit in the United States*, by A. G. Black.

Algunas Apuntaciones sobre el Folklore Mexicano, by Max L. Wagner; *Louisiana Superstitions*, by Hilda Roberts; and an account of the *Thirty-eighth Annual Meeting of the American Folklore Society* are the articles in *The Journal of American Folk-*

lore for April-June, 1927. The number for July-September, 1927, contains *Negro Folk Tales from the South*, by Arthur Huff Fausset; and *Modern Witches of Pennsylvania*, by John R. Crosby. Both of these numbers were issued in August, 1928.

The Pala Tile, by Christine Emery; *The Ancestry of William Cullen Bryant*, by Tremaine McDowell; *American Genealogical Sources and Genealogical Limitations*, by Joel N. Eno; *Adams and Allied Families*, by E. C. Finley; *The Mansion House Corner*, by Elizabeth L. Adams; and the *Sibley, Campau and Allied Families*, by Walter S. Finley, are the articles and papers in *Americana* for October, 1928.

Summary Report of Field Work at Acoma, by Leslie A. White; *Norse Ruins in Labrador*, by Therkel Mathiassen; *Gemma in South-eastern Asia*, by Milton Katz; *The Laguna Migration to Isleta*, by Elsie Clews Parsons; *The Family Hunting Territory in Australia*, by D. S. Davidson; *Economic Aspects of Indigenous American Slavery*, by W. C. MacLeod; *Christmas Fiestas of the Cupeño*, by Paul Louis Faye; *Ethnological Notes on the Ojibwa of South-eastern Ontario*, by Paul Radin; *Notes on the Depopulation of Aboriginal America*, by M. G. Smith; and *Notes on Central Pomo and Northern Yana Society*, by E. W. Gifford, are the articles and papers in the *American Anthropologist* for October-December, 1928.

Some Problems in Democracy in North Carolina is the title of a *University of North Carolina Extension Bulletin* for April, 1928. This bulletin includes such articles as *Some Essentials of Good Citizenship*, by E. C. Branson; *Modernizing Education for Citizenship*, by Paul W. Terry; *Training for Public Service*, by Robinson Newcomb; *The Women's Program for North Carolina*, by Mary O. Cowper; *The Short Ballot*, by Alvin S. Kartus; *Elections and Election Practices*, by Paul W. Wager; *County Government*, by Ralph W. Noe; *Distribution of the Tax Burden in North Carolina*, by Coralie Parker; *The Trend toward Lawlessness*, by Judson F. Ashby; and *Democracy and a Free Press*, by Josephus Daniels.

Volume III of *Studies and Records* has been published and dis-

tributed by the Norwegian-American Historical Association. This volume contains the following articles: *The Disillusionment of an Immigrant*, translated and edited by Gunnar J. Malmin; *A Doctrinaire Idealist: Hans Barlien*, by D. G. Ristad; *Norwegian-American Emigration Societies of the Forties and Fifties*, by Albert O. Barton; *Emigration as Viewed by a Norwegian Student of Agriculture in 1850*, translated by A. Sophie Boe with an introduction by Theodore C. Blegen; *An Immigration Journey to America in 1854*, translated and edited by Henrietta Larson; *Chicago as Viewed by a Norwegian Immigrant in 1864*, translated and edited by Brynjolf J. Hovde; *The Historical Value of Church Records*, by J. Magnus Rohne; *A Norwegian-American Landnamsman: Ole S. Gjerset*, by Knut Gjerset; and *The Icelandic Communities in America: Cultural Backgrounds and Early Settlements*, by Thorstina Jackson. Theodore C. Blegen wrote the Preface to the volume.

WESTERN AMERICANA

The *Green Bay Historical Bulletin* for July-August, 1928, contains a series of *Letters from the Seat of War—Mexico*.

Abraham Lincoln, an address by M. L. Houser of Kansas City, Missouri, has been published in an attractive booklet by the author.

The Preservation of Louisiana History, by Grace King, is an article of historical interest to Mississippi Valley readers in *The North Carolina Historical Review* for October, 1928.

Rural Voting in California, 1900-1926, by Charles H. Titus, is an article of historical interest in *The Southwestern Political and Social Science Quarterly* for September, 1928.

The Senatorial Career of Albert J. Beveridge, by John A. Coffin; *Ephraim Samuel Frazee, 1824-1896*, by Mrs. Lucius O. Hamilton; *Jesse Birch*, by Elmore Barce; and *Some Letters to John G. Davis, 1857-1860*, form the contents of the *Indiana Magazine of History* for September, 1928.

New Lights on Old Cahokia, by Gilbert J. Garraghan; *The Death of Father Jacques Marquette*, by Leonard J. Fenel; and a contin-

uation of *The American Federation of Catholic Societies*, by Anthony Matre, are the articles in the *Illinois Catholic Historical Review* for October, 1928.

Among the articles in *The New Mexico Historical Review* for October, 1928, are the following: *Apologia of Presbyter Antonio J. Martinez*, by Cecil V. Romero; *Confederate Courts in New Mexico*, by Edward D. Tittmann; *A Glimpse of New Mexico in 1620*, by Lansing B. Bloom, and *Es-kim-in-zin*, by John P. Clum.

In the *Burton Historical Collection Leaflet* for September, 1928, M. M. Quaife contributes another sketch in his series of *Detroit Biographies*. Major Robert Rogers is the subject of this article. In the *Leaflet* for November, Dr. Quaife presents an interesting account of the gunboat *Michigán* under the title *The Iron Ship*.

Some Reminiscences of La Crosse and Vicinity, by L. H. Pammel, has been reprinted by the author from the *La Crosse Tribune and Leader*. This volume contains an account of the men and women who lived in or near La Crosse and shared in its progress. Notes on conservation of plant and animal life are included.

Gideon Shryock — Pioneer Greek Revivalist of the Middlewest, by Rexford Newcomb; a concluding installment of *The McAfee Papers; State Archives — Montgomery County; The Blue Licks Monument*; and *Kentucky Tombstone Inscriptions* form the contents of *The Register of the Kentucky State Historical Society* for September, 1928.

The *Indiana History Bulletin* for September, 1928, contains an article on archeological work in Indiana during the past summer. The October number describes the midyear tour and meeting of the Indiana Historical Society, while the number for December tells about plans for commemorating the 150th anniversary of the exploits of George Rogers Clark in the Revolutionary War.

Flanders Callaway, a Frontier Type, by Charles W. Bryan, Jr.; *Advertisements in the Missouri Gazette, 1808-1811*, by Isaac H. Lionberger; *A Walk in the Streets of St. Louis in 1845; Diary of James Kennerly, 1823-1826*, edited by Edgar B. Wesley; and *The Kennerlys of Virginia*, compiled by Stella M. Drumm, are the

articles in the *Missouri Historical Society Collections* for October, 1928.

El Palacio for August 25, September 1, 8, 15 contains an account of the summer camp session of The School of American Research held in coöperation with the University of New Mexico. The number for September 22-29 contains several short articles on American archeology. The combined number for October 6-27 includes an extended account of pre-historic ruins in the Navajo country, Arizona; while the combined number for November 24-December 1, 1928, contains a biographical sketch of the late Dr. Charles F. Lummis.

A Sketch of Delta County History, by Olivia Spalding Ferguson; *The Re-burial of Chief Ouray*, by Mrs. C. W. Wiegel; *The Old South Park Railroad*, by Albert B. Sanford; *The Cattle Roundup*, by Eugene Williams; *The Death and the Last Will of Kit Carson*, by Albert W. Thompson; and *A Brief History of the National Jewish Hospital at Denver*, by Samuel Schaefer and Eugene Parsons, are the articles in *The Colorado Magazine* for October, 1928.

The Normanna Sangerkor of La Crosse, an account of the oldest Norwegian singing society in America, by Guy A. Peterson, is an article of historical interest in *The Wisconsin Magazine* for September, 1928. *These Were the Pioneers of Wisconsin* is an account of early days, by Mathilda Fink, in the number for October. *The Ghosts of Prairie du Chien*, by May L. Bauchle, appears in the issue for November.

West Texas Drouths, by W. C. Holden; *Journal of Ammon Underwood, 1834-1838*, edited by James K. Greer; a continuation of *Tadeo Ortiz de Ayala and the Colonization of Texas, 1822-1833*, edited by Edith Louise Kelly and Mattie Austin Hatcher; and a continuation of the *Diary of Adolphus Sterne*, edited by Harriet Smither, are the articles in the *Southwestern Historical Quarterly* for October, 1928.

Journal of a Pioneer Missionary, the Rev. Lemuel Foster, edited by Matthew Spinka; *President Lincoln's War Problem*, by John McAuley Palmer; *Discovery of Record of Lincoln's Chicago Speech*

of October 27, 1854, by Earl W. Wiley; *Alexander Charters*, by Blanche S. Charters; and *Macon County, Illinois*, by Lelah Foster, are articles and papers in the *Journal of the Illinois State Historical Society* for July, 1928.

Colonel Joe C. Miller, *An Appreciation*, by Corb Sarchet; *Tradition of the Cheyenne Indians*, by John H. Seger; *Early Post Offices of Oklahoma*, by Grant Foreman; *Intermarried-Whites in the Cherokee Nation*, by A. H. Murchison; *Letters of the Two Boudinots*, by Edward Everett Dale; *The Fly Leaf*, by J. J. Methvin; and *About Some of Our First Schools in Choctaw Nation*, by J. Y. Bryce, form the contents of the *Chronicles of Oklahoma* for September, 1928.

The *Tennessee Historical Magazine* for January, 1926, issued in October, 1928, contains among others the following articles: *General Robert E. Lee's Inspiration to the Industrial Rehabilitation of the South, Exemplified in the Development of Southern Iron Interests*, by Robert Ewing; *James Buchanan, the Court and the Dred Scott Case*, by Philip Auchampaugh; *William Cobb — Host of Gov. Wm. Blount*, by P. L. Cobb; and *Early Travels in the Tennessee Country*, by A. V. Goodpasture.

Local Government and Local History, by William Anderson; *The Birth of the Populist Party*, by John D. Hicks; *The History of Central Minnesota: A Survey of Unpublished Sources*, by Mary E. Wheelhouse; *The State Historical Convention at Brainerd*; and *Minnesota as Seen by Travelers* are the articles and papers in *Minnesota History* for September, 1928. Under *Notes and Documents* appears *A British Regimental Gorget in Minnesota*.

The Mississippi Valley Historical Review for December, 1928, contains a sketch of Clarence Walworth Alvord, *Historian*, by Solon J. Buck; *Saint Tammany in Ohio: A Study in Frontier Politics*, by William T. Utter; *A Revaluation of the Period before the Civil War: Railroads*, by R. R. Russel; *The Sub-Treasury: A Forgotten Plan for the Relief of Agriculture*, by John D. Hicks; *Thomas Fitzpatrick and the First Indian Agency of the Upper Platte and Arkansas*, by LeRoy R. Hafen.

Historical Review, Champoeg, the Plymouth Rock of the Northwest, by Peter H. D'Arcy; and *The Oregonian Newspaper in Oregon History*, by Leslie M. Scott, are the two leading articles in *The Oregon Historical Quarterly* for September, 1928. Under the heading, *Documentary*, appear the following: *The Letters of Roselle Putnam*, transcript and notes by Sheba Hargreaves; *Captain James Cook's Approach to Oregon*, with introduction and notes by T. C. Elliott; *John Meares Approach to Oregon*, journal, introduction, and notes by T. C. Elliott; and a continuation of *The Log of the Lausanne*, by Henry Bridgman Brewer, with notes by John M. Canse.

History of Geology in the State of Washington, by Henry Landes; *The Peace River Journal, 1799-1800*, by Marion O'Neil; *The Camel Pack Trains in the Mining Camps of the West*, by William S. Lewis; and *Experiences of a Packer in Washington Territory Mining Camps*, by James W. Watt, are the articles in *The Washington Historical Quarterly* for October, 1928. Under *Documents* is included an account of *Vessels Trading on the Northwest Coast of America, 1804-1814*, edited by George Verne Blue.

The autumn number of the *Michigan History Magazine* contains the following articles: *University of Michigan: Beginnings*, by William A. Spill; *The Earl of Selkirk in Michigan Courts*, by William L. Jenks; the *Court Martial of Gen. William Hull*, by John G. Van Deusen; a continuation of the *History of the Michigan State Federation of Women's Clubs*, by Irma T. Jones; *Early Lamps in the State Pioneer Museum*, by E. T. Greenman; *From an Old Diary*, by Francis Ayres; *Some Indian Place-Names around Saginaw*, by Fred Dustin; and a *Calendar of Michigan Copyrights*, by William L. Jenks.

Among the articles and papers in *The Louisiana Historical Quarterly* for April, 1928, appear the following: *The Wreck of La Superbe in the Gulf of Mexico 1745*, translated by Heloise H. Cruzat with an introduction by Henry P. Dart; the *Petition of Widow Dona Anna Judith Chenal 1773*, translated by Laura L. Porteous; *O'Reilly's Ordinance of 1770 Concerning Grants of*

Land; Public Education in New Orleans in 1800, by Henry P. Dart; *A Boy's Recollection of the War Between the States*, by W. O. Hart; and *George Wilkins Kendall and the Founding of The New Orleans Picayune*, by John S. Kendall.

The Missouri Historical Review for October, 1928, contains the following articles and papers: *Diary of a Journey from Missouri to California in 1849*, edited by Ralph P. Bieber; *When a Missourian Forced a Special Session of Congress*, by Walter B. Stevens; *The Development of Missouri's State Administrative Organization*, by Isidor Loeb; *Letters of a Young Surveyor, 1828-1829*, by Frederick S. Klein; *More About Protestant Bodies in Missouri Territory*, by John A. Hope; *Historical Geography of Salt River Community, Audrain County, Missouri*, by Sam T. Bratton and W. O. Smith; and *Extracts from War-time Letters, 1861-1864*, by Albert N. Doerschuk.

A Changing Viewpoint of Pioneer Development, by Charles Dobbs; a *Letter by Colonel John Todd, Jr., 1778*, by Morton V. Joyes, Sr.; a *Letter by Edward Harris, 1797*, by R. C. Ballard Thruston; and *John Floyd — Pioneer and Hero*, by Otto A. Rothert, are the articles and papers in *The History Quarterly*, the publication of the Filson Club and the University of Louisville, for July, 1928. The number for October contains among others the following articles: *How the Parents of George Rogers Clark Came to Kentucky in 1784-1785*, by Ludie J. Kinkead; *James Alves — Genealogical Notes on His Ancestors and Descendants*, by Gaston M. Alves; *Letter from George Washington to Charles Morgan of Kentucky, 1795*, by Lucien Beckner; and *Josephine McGill — Pioneer in the Kentucky Ballad Field*, by Otto A. Rothert.

IOWANA

The Trek of the Mormons, by C. E. Hall, in *The Northwestern Bell* for November, 1928, recalls the trail established across Iowa by this religious sect on the long journey to Utah.

A sketch of Swede Valley Church in Boone County and an account of a diary kept by John M. Herman on a trip to California

in 1850 are two articles of historical interest in the *Boone Community Magazine* for October, 1928.

The Motor Vehicle in Iowa, by C. H. Sandage, is the title of Number one of *Iowa Studies in Business* carried on under the supervision of S. L. Miller, Director of the Bureau of Business Research of the College of Commerce at the State University of Iowa.

The Twenty-ninth Biennial Report of the Superintendent of Independence State Hospital and Fourth Biennial Report of the Hospital for Male Inebriates has been issued from the press of the Men's Reformatory at Anamosa. R. A. Stewart is Superintendent of the State Hospital at Independence.

The Twenty-first Biennial Report of the Superintendent of the Clarinda State Hospital and First Report of the Hospital for Inebriates at Clarinda has been published at the Men's Reformatory Print at Anamosa. Max E. Witte is Superintendent of the Hospital at Clarinda.

John J. Audubon and His Visit to Iowa, by David C. Mott; *George Worth Schee*, by J. L. E. Peck; the *Jefferson Highway Association*, by Hugh H. Shepard; and a continuation of the classification of the *Iowa Public Archives*, by C. C. Stiles, are the articles and papers in the *Annals of Iowa* for October, 1928.

Ruth L. Hoadley has compiled a valuable study of the *Industrial Growth of Iowa* which has been published as Number two in the *Iowa Studies in Business*. Studies in this series are prepared under the direction of S. L. Miller of the Bureau of Business Research of the College of Commerce at the State University of Iowa.

Three additional bulletins in the series making up a *Soil Survey of Iowa* have been issued by the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts at Ames. These bulletins, issued in June, 1928, afford a soil survey of Appanoose, Clarke, and Winneshiek counties. Soil reports of fifty-three counties are now complete.

Number eleven of the *University of Iowa Studies in Psychology*, edited by Christian A. Ruckmick, has been published for The

American Psychological Association by the Psychological Review Company. This volume consists of summaries of seven experimental investigations carried on in the Department of Psychology at the State University of Iowa.

Dean George F. Kay of the State University of Iowa has prepared a *History of the Pleistocene Deposits of Iowa* which has been published in booklet form by the State of Iowa for the Iowa Geological Survey. The author has brought together in this work the results of many years of personal investigations and the investigations of other students of the glacial deposits of Iowa and adjacent States.

A number of historical articles have appeared in recent numbers of *Wallaces' Farmer*. One of these, *When the Middle-West Was Young*, by L. R. Grinstead, describes the driving of hogs from Iowa to Mississippi River markets in Missouri in the sixties. Another, *From Open Range to Feed Lots*, by John A. Hopkins, Jr., and C. R. F. Smith, tells about the change in methods of cattle feeding in Iowa from pioneer times to the present. *Farming in Iowa in the Sixties*, by Louis B. Schmidt, is a valuable account of agricultural development in Iowa from 1860 to 1870. Donald R. Murphy contributes a serial story of early Iowa and the Bellevue War under the title "*Horse Thief Town*".

SOME RECENT PUBLICATIONS BY IOWA AUTHORS

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- Bashford, Herbert,
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- Betts, George Herbert,
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- Brookhart, Smith Wildman,
Will the Brookhart Bill Help the Exhibitors? (Congressional Digest, November, 1928).
- Brown, Bernice,
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- Brueckner, Leo J.,
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Protestantism in Politics (The Outlook, September 19, 1928).
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Marxism Today (Current History, October, 1928).
Vanishing Farmer (World's Work, September, 1928).
- Catt, Mrs. Carrie Chapman,
Eight-hour Day for the Housewife, Why Not? (Pictorial Review, November, 1928).
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Outlawry of War (The Annals of the American Academy of Political and Social Science, July, 1928).
- Chamberlain, Clarence D.,
Record Flights. Philadelphia: Dorrance and Company. 1928.
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- Childs, Marquis W.,
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Miss Humpety Comes to Tea (poem) (Delineator, November, 1928).

Morning Highway (poem) (Good Housekeeping, August, 1928).

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Racers (poem) (Good Housekeeping, July, 1928).

Windy Day in the Woods (poem) (Delineator, September, 1928).

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SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

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Fragments of early Iowa history, by Henry C. Ethell, in the *Bloomfield Democrat*, September 6, 1928.

Early days at La Porte City, by W. L. Fox, in the *La Porte City Progress Review*, September 6, 13, 20, October 4, 11, 18, 25, November 1, 15, 22, 29, 1928.

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Memoirs of Captain Sam Van Sant, in the *Burlington Post*, September 22, 1928.

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Old Bradford Academy, by Bob Goodsell, in the *Nashua Reporter*, November 28, 1928.

The Jones County calf case, in the *Dyersville Commercial*, November 29, 1928.

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THE STATE HISTORICAL SOCIETY OF IOWA

An oil portrait of Dr. Henry Murray, a pioneer physician of Iowa City, has been presented to the State Historical Society, by his daughter, Mary Murray of Omaha.

Through the courtesy of the estate, the State Historical Society has received a gift of bound magazines, books, and pioneer relics collected by the late Dr. G. D. Darnall of West Union.

Miss Carrie Wetherby has presented to the State Historical Society an oil portrait of Dr. Benjamin H. Aylworth, a pioneer physician of Iowa City. The portrait was painted by Miss Wetherby's father, I. Wetherby.

On November 5, 1928, Dr. Ruth A. Gallaher, Library Research Associate of the State Historical Society of Iowa, gave an address on "Citizenship and Civic Government" at a luncheon meeting of the community service department of the Davenport Women's Club.

The Dominican sisters at Rosary College have presented the State Historical Society with a photograph of the original painting of the Reverend Samuel Charles Mazzuchelli, founder of the order. The photograph was made in Milan and sent to America by Senator Luca Beltrami, a relative of Father Mazzuchelli.

Mary W. Durham, Benjamin H. Durham, and Louise Durham have presented to the State Historical Society a collection of manuscripts, letters, and relics which belonged to their parents, Colonel Samuel Wallace Durham and Ellen Wolcott Durham. Included in the collection is a diary kept by Colonel Durham on a trip from Indiana to Iowa in 1840. Colonel Durham was a United States deputy surveyor in Iowa, and was an active participant in politics in Iowa from 1841 to 1885.

Bruce E. Mahan, Associate Editor of the State Historical Society, gave the principal address at the organization of the Union County Historical Society at Creston on October 3, 1928. On December 1, 1928, Dr. Mahan spoke on "Some Dramatic Moments in Iowa History" before the women's clubs of Monticello; and on December 4th he addressed the Marshall County Historical Society at Marshalltown on "Amana — the Community of True Inspiration".

Dr. Benjamin F. Shambaugh, Superintendent of the State His-

torical Society, gave an address on the "Issues of the Campaign" before the Des Moines Federation of Womens' Clubs on September 25, 1928. On October 17th he spoke on the "Problems of the Electorate" at a public meeting arranged by the Unitarian Laymen's League of Davenport. On December 5th, Dr. Shambaugh gave an address on "The West and the Pioneers" as a part of the Founders Day program of Coe College at Cedar Rapids.

Members of the staff of the State Historical Society of Iowa at Iowa City are at work on plans for the fourth annual Iowa History Week, April 15-20, 1929. This year attention will be focused on the games of our grandfathers and grandmothers. What games they enjoyed as young people and how these games were played are questions to be considered. A special number of *The Palimpsest*, the monthly magazine published by the State Historical Society, will contain descriptions of several of the most popular games of yesterday. Words and music of some of the play party games such as "Miller Boy" and "Skip-to-My-Lou" will be included. Copies of this number of *The Palimpsest* will be sent to schools and to women's clubs throughout Iowa to be used during Iowa History Week.

The State Historical Society of Iowa at Iowa City has recently published and distributed a book, *In Cabins and Sod-Houses*, by Thomas H. Macbride, President Emeritus of the State University of Iowa. In terms of years this book covers the period from 1846 to 1860. The author's chief purpose was to portray the intellectual life of the men and women who fourscore years ago laid the foundations of the prairie Commonwealth of Iowa. What men of this period thought of themselves, their doings, and their relations to the world is told by one who as a boy lived in the community and kept in touch with it for many years thereafter. The characters in the story are portrayed with sympathetic understanding. The story begins with the building of the log schoolhouse and ends with an account of the effect produced by the news of John Brown's raid on Harper's Ferry.

George F. Parker, lifelong friend of Grover Cleveland, has be-

queathed a valuable collection of unpublished manuscripts, published addresses, and miscellaneous articles to the State University of Iowa at Iowa City. The collection is deposited temporarily in the manuscript vaults of the State Historical Society. The manuscripts include "The American Pioneer" in two volumes, Parker's "Autobiography", "America: A Study of Contemporary Conditions", "Grover Cleveland: A Biography of Episodes", "Recollections of Grover Cleveland", "America and England: A Contrast and a Comparison", "The England of Today", "The Old World and the New", and "A State in the Making". Among the published addresses are three given in Iowa, one in 1907 on "The Age of Concentration" given at Simpson College, one in 1909 on "The Students' Obligations", and one in 1922 on "The American Pioneer and his Story", both given at the State University of Iowa. The miscellaneous articles include two note books, a package of notes and addresses, and the campaign text book of the Democratic party for 1888.

The following persons have recently been elected to membership in the Society: Miss Elta Franck, Quimby, Iowa; Mr. Philip D. Jordan, Burlington, Iowa; Mrs. Laura H. Koop, Monticello, Iowa; Mr. J. M. Stokes, Mason City, Iowa; Mr. Burrus E. Beard, Northwood, Iowa; Mr. H. R. Bechtel, Davenport, Iowa; Mr. W. F. Bugbee, Mason City, Iowa; Mr. Hubert E. Collins, Utica, New York; Mr. J. Harold Ennis, Crete, Nebraska; Mr. H. J. Lytle, Davenport, Iowa; Mr. Geo. D. Miller, Albia, Iowa; Mr. Charles E. Payne, Grinnell, Iowa; Mr. H. N. Rogers, Davenport, Iowa; Mr. E. J. Vreeland, Des Moines, Iowa; Mr. Ernest J. Ashbaugh, Columbus, Ohio; Mrs. A. Claire Dewey, Washington, Iowa; Rev. P. A. Johnson, Grinnell, Iowa; Mr. A. J. Oberg, Stockport, Iowa; Mr. E. S. Patterson, Keokuk, Iowa; Mr. W. J. Petersen, Dubuque, Iowa; Mrs. J. M. Shomler, Cedar Rapids, Iowa; and Mr. K. E. Willeockson, Sigourney, Iowa. Mr. F. Junkermann of Cedar Rapids, Iowa, was enrolled as a life member.

HISTORICAL ACTIVITIES

On the evening of October 30, 1928, the Missouri Historical Society assisted by the Spirit of St. Louis Memorial Committee held a reception at the Jefferson Memorial at St. Louis. This occasion was the official opening of the west wing of the Jefferson Memorial where the trophies of Colonel Charles A. Lindbergh, commemorating his flight from New York to Paris, May 20-21, 1927, have been installed.

An Oregon history institute was conducted at the Champoege Meeting Memorial Building during the latter half of July by Edyth Tozier Weathered and Albert Weathered, the custodians of the park and building. The programs enlisted the interest of many institutions, organizations, and agencies throughout the State. On Labor Day the Catholic Rural Life Conference celebrated the centenary of the beginning of household agriculture in the Pacific Northwest by Etienne Lucier near Champoege.

The Filson Club held its annual meeting at Louisville, Kentucky, on October 1, 1928. The following officers were reëlected: president, R. C. Ballard Thruston; vice president, Emmet O'Neal; secretary, Otto A. Rothert; treasurer, Allen M. Reager; members of the executive committee, John Stites, Mary Verhoeff, and Lucien Beckner. Since its organization in 1884 thirty-four Filson Club publications have been issued. The club has purchased a building which is being remodeled as a permanent home.

The mid-year meeting of the Indiana Historical Society was held at Logansport on October 6, 1928. Two papers were read at this meeting, one by W. T. Wilson of Logansport upon "Historic Logansport," and the other by Frank F. Hargrave of Purdue University, upon the "History of the Crawfordsville and Wabash Railroad Company." An historical tour was a feature of the meeting. Starting at Indianapolis the route led through Crawfordsville, Lafayette, and along the Wabash-Erie Canal to Logans-

port. Following the program at Logansport members in attendance returned to Indianapolis by way of Peru and Kokomo.

The forty-third annual meeting of the American Historical Association was held at Indianapolis on December 28, 29, 31, 1928. Headquarters were maintained at the Claypool Hotel. A joint meeting of the American Historical Association and the Mississippi Valley Historical Association was held on December 28th, and members of the latter association met at a dinner session the same evening. Bruce E. Mahan, Associate Editor of the State Historical Society of Iowa, represented the Society at the Conference of Historical Agencies of the Upper Mississippi Valley and at the Conference of Historical Societies on December 31st.

IOWA

The Woodbury County Pioneer Club dedicated a marker on October 13, 1928, in honor of the memory of Henry Cordua and Thomas Roberts, early settlers, who were killed by the Indians on July 9, 1861. The marker is located on the Correctionville road about three and one-half miles from Sioux City.

On September 11, 1928, the Fort Dodge Chapter of the Daughters of the American Revolution dedicated a marker on the site of Fort Clarke, or Fort Dodge as the post was renamed. Mrs. Robert H. Munger of Sioux City, past State regent and vice president general of the national Society, delivered the dedicatory address.

The Marshall County Historical Society began the activities of the year with a dinner and program on the evening of November 6, 1928. At the second meeting of the year on December 4th, Dr. Bruce E. Mahan, Associate Editor of the State Historical Society, gave an illustrated lecture before the local society on the subject, "Amana, the Community of True Inspiration".

The Howard County Historical Society has recently received an old flag made by Howard County women for Company I of the Ninth Iowa. The flag was presented to the Society by Susan and Elizabeth Cole, sister and daughter respectively of Ezra M. Cole who carried the flag when the company was mustered into service

on September 18, 1861. At the monthly meeting of the society on October 8th, Mrs. E. H. Bent read a paper on "Historical Flash-lights of Iowa". This paper had been written by Mrs. L. B. Schmidt of Ames.

The Union County Historical Society was organized at Creston, Iowa, on October 3, 1928. The society selected as its officers — W. J. Donlin of Creston, president; L. C. Bowers of Kent, vice president; Mrs. S. R. Brown of Afton, secretary; Mrs. Blanche Erickson of Lorimer, treasurer; and T. G. Hamilton of Creston, curator. Directors of the new society include — Ray Wilson, Spaulding Township; Ray Hazen, Lincoln Township; Mrs. Maggie Walker, Dodge Township; Mrs. Blanche Erickson, New Hope Township; C. E. Ours, Douglas Township; F. J. Otis, Highland Township; Mrs. S. R. Brown, Union Township; T. P. McGowan, Jones Township; L. C. Bowers, Platte Township; E. L. Edwards, Grant Township; and Frank Forbes, Sand Creek Township. The society has more than three hundred charter members.

NOTES AND COMMENT

The annual reunion of the Third Iowa Cavalry Association was held at Bloomfield on October 3, 4, 1928. On the last day of the reunion a camp of the Sons of Union Veterans of the Civil War was organized.

An historical pageant of Guthrie County was presented at the Guthrie County fair at Guthrie Center each evening from September 17 to 21, 1928.

Residents of Audubon celebrated the fiftieth anniversary of the founding of the town on October 15, 1928. Howard Clark of Des Moines, an Audubon County boy, gave the principal address of the day.

The old schoolhouse in Colfax Township, Grundy County, known as the Quick school has been bought by the Grundy Community Club and will be moved to Grundy Center. The building will be preserved as a Herbert Quick memorial.

Members of the Union Congregation Church at Reinbeck celebrated the fiftieth anniversary of the founding of the church on September 24, 1928. The church was organized in September, 1877, with a charter membership of ten.

Members of the Little Sioux Valley Church, located three miles northwest of Rembrandt in Buena Vista County, celebrated the sixtieth anniversary of its founding on October 4 to 7, 1928. The church was organized in September, 1868, by a group of Norwegian settlers of the Lutheran faith.

The cornerstone of the new Louisa County courthouse was laid with impressive ceremonies on October 2, 1928. Arthur Springer gave an address dealing with the historical background of the county. Governor John Hammill made the principal address.

On December 5th Coe College celebrated the seventy-fifth anni-

versary of the founding of Cedar Rapids Collegiate Institute, the predecessor of Coe College. Dr. Benjamin F. Shambaugh, Superintendent of the State Historical Society and Head of the Department of Political Science in the University of Iowa, and President H. M. Gage of Coe College were the principal speakers on this occasion.

Professor Louis Bernard Schmidt, Head of the Department of History and Government at the Iowa State College, will return to the University of Alabama for the first term of the Summer Session of 1929 to give courses in The Westward Movement in American History, History of the United States from 1829 to 1865, and The United States in World Politics Since 1895.

Story County celebrated the diamond anniversary of its founding at Ames on October 4-6, 1928, with every part of the county participating. The *Ames Tribune* published a forty page "Diamond Jubilee" number which contained many articles of historical interest. A pageant "Giants in the Earth" was presented in the Iowa State College stadium on the evening of October 5th.

On November 25, 1928, the members of the First Congregational Church at Charles City commemorated with appropriate services the seventieth anniversary of the founding of the first Congregational Church in Floyd County. An attractive booklet containing the program of services and a short history of the church was published for the event.

The annual meeting of the Mahaska County Old Settlers' Association was held at the courthouse in Oskaloosa on October 3rd. The program included a paper on "Reminiscences of Mahaska's Schools and Teachers", by Mrs. Florabel Patterson Rosenberger; an address, "What We Owe the Pioneers", by Senator F. C. Stanley; "Reminiscences of Mahaska's Early Lawyers", by Judge J. G. Patterson; "Early Penn College", by L. T. Shangle, and "Those Good Old Days", by W. I. Rice.

The annual reunion of the Madison County Old Settlers' Association was held at Winterset on September 3, 1928. Attorney D. C.

Shull of Sioux City, a former resident of Madison County, delivered the principal address of the occasion. Elwood Edwards and Dr. P. C. Hogle of Des Moines made short talks; and W. F. Craig read a paper prepared by Judge W. H. Lewis. Officers elected for the new year were: W. S. Cooper, president; W. F. Craig, secretary; and L. V. Price, treasurer. E. R. Zeller reported that many people visited the historical exhibit in the courthouse at Winterset.

During a meeting of the county coroners of Iowa held at Mason City on June 19-20, 1928, an organization was formed to be known as the "Iowa State Association Coroners". Charter members of the organization include Dr. J. D. Cantwell of Davenport, Dr. W. E. Long of Mason City, Dr. J. H. Robbins of Sioux City, Dr. H. J. Wright of Des Moines, Dr. H. H. Nichols of Marshalltown, Dr. R. A. Vorpahl of Cedar Rapids, E. J. Marton of Fort Dodge, and B. J. Oakes of Charles City. Dr. J. D. Cantwell was chosen president; Dr. H. H. Nichols, vice president; and Dr. W. E. Long, secretary-treasurer.

During the Civil War the main building of the College of William and Mary at Williamsburg, Virginia, occupied by Federal troops, was burned, and the library was scattered. In some instances Federal soldiers picked up books and documents and carried them away as souvenirs, and such have been found still in the possession of northern families. In connection with the work of architectural restoration now going on at Williamsburg, both architects and librarian would be glad of information regarding any such possessions. Address Dr. Earl G. Swem, Librarian, College of William and Mary, Williamsburg, Virginia.

A reunion of the Jackson County Veterans' Association was held at Lakehurst on October 10, 1928. New officers elected were: Isaac Smith of Maquoketa, commander; R. F. McMeans of Maquoketa, senior vice commander; William R. Sisler of Andrew, junior vice commander; C. A. Pankow of Spragueville, adjutant; Joseph Hoffman of Lamotte, commissary; Hiram Graves of Maquoketa, quartermaster; and J. W. Ellis of Maquoketa, chaplain. Officers selected by the Patriotic Society which met at the same

time were: Cora Phillips, president; Frances Bradley, vice president; Josie Gurius, treasurer; Grace Hansen, secretary; Mrs. N. G. Dye, chaplain; and May Lockwood, flag custodian.

CLEM F. KIMBALL

Clem F. Kimball, Lieutenant Governor of Iowa, died at his home in Council Bluffs on September 10, 1928. Mr. Kimball was born at Anamosa, Iowa, on August 11, 1868. He was graduated from Iowa State College as a mechanical engineer in 1889. After working as a mechanical draughtsman and teaching in the Chicago Manual Training School and at Appleton, Wisconsin, he took up the study of law at the University of Michigan from which he was graduated in 1895. He entered upon the practice of law at Council Bluffs. His political career began with service as assistant county attorney for Pottawattamie County from 1899 to 1903. From 1906 to 1912 he was city solicitor for Council Bluffs. In 1912 he was elected State senator from Pottawattamie County, and was re-elected in 1916. In 1924 Mr. Kimball was elected Lieutenant Governor. He was re-elected in 1926 and had been renominated in 1928.

JOHN A. T. HULL

Captain John A. T. Hull, former congressman from the seventh Iowa district, died on September 26, 1928, at his home in Virginia near Washington, D. C. Captain Hull was born in Sabina, Ohio, on May 1, 1841, and he moved with his parents to Iowa in 1849. He attended Asbury University in Indiana and Iowa Wesleyan College before going to the Cincinnati Law School. He served with distinction in the Civil War; and at the close of the war made his home at Bloomfield where he edited the *Davis County Republican*. Captain Hull was secretary of the State Senate from 1872 to 1878, and was Secretary of State from 1878 to 1885, when he was chosen Lieutenant Governor. He was elected to Congress in 1891 and served for ten terms. As a member of the military committee he succeeded in bringing the Fort Des Moines army post to Iowa. He retired from Congress to practice law in Washington. Captain Hull was buried in Arlington Cemetery with full military honors.

CONTRIBUTORS

JOHN M. PFIFFNER, Professor of Political Science at the Municipal University of Wichita, Wichita, Kansas. Born at Emmetsburg, Iowa, August 10, 1893. (See THE IOWA JOURNAL OF HISTORY AND POLITICS, October, 1928, p. 619.)

DOROTHY SCHAFFTER, Instructor in the Department of Political Science at the State University of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS, October, 1927, p. 652.)

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THE BICAMERAL SYSTEM IN PRACTICE

[This is the final installment of an article on the bicameral system in practice by Dorothy Schaffter. The first installment appeared in the January number of this magazine.—THE EDITOR]

LEGISLATIVE EXPERIENCE

Before proceeding with a discussion of the problem of the relation of legislative experience to the bicameral system in Iowa, a definition of the unit of measurement of legislative experience is necessary. The term of office of the Senators is four years and of the members of the House, two years. Unless there are special called sessions this means that a Senator normally serves two sessions, and a Representative one session, during his term. The unit used in this study is the single legislative session, whether served in the Senate or the House, in a regular or a special session. In view of the condition that a Senator is assured of two sessions for each election, and a Representative of only one, the advantage very obviously lies with the Senate, where the two-session term automatically secures a certain degree of experience which is not inherent in the single-session term of the House member. This undoubtedly is largely responsible for some of the difference between the legislative experience of Senate and House members, as is shown in Tables V and VI.

Table V (page 172) shows the number of sessions of legislative experience of members of the Senate and House from the Twenty-eighth to the Forty-second sessions, inclusive, stated in percentages based upon averages for the period.

The following table shows the number of sessions of legislative experience of members of the Senate and House from

TABLE V

NUMBER OF SESSIONS OF LEGISLATIVE EXPERIENCE	SENATE	HOUSE OF REPRESENTATIVES
One	24.8	51.7
Two	25.0	31.5
Three	18.4	10.3
Four	16.6	4.0
Five	10.2	1.3
Six	3.0	.4
Seven	1.7	.2
Eight	.4	.1
Nine	.2	0.
Ten	.1	0.
Eleven	.2	0.

the Twenty-eighth to the Forty-second sessions, inclusive, stated in percentages based upon medians for the period. The asterisk indicates that the number of members in these classes was too few to compute the median.

TABLE VI

NUMBER OF SESSIONS OF LEGISLATIVE EXPERIENCE	SENATE	HOUSE OF REPRESENTATIVES
One	26.0	53.7
Two	26.3	35.1
Three	22.0	6.4
Four	18.6	2.6
Five	10.0	.9
Six	4.0	*
Seven	2.0	*
Eight	*	*
Nine	*	0
Ten	*	0
Eleven	*	0

The two summary tables just referred to are almost self-explanatory, but some statements concerning them may make them more significant. Table V is stated in terms of

averages. In view of the relative inaccuracy inherent in averages, caused by the presence of a few members having relatively long terms, the material has also been used to compute medians which are less affected by the condition described. A comparison of results obtained by the two methods shows, at the most, a variation of only approximately four per cent which is not especially significant.

Using Table VI which is based on medians, three very interesting comparisons can be made. On the average, each session of the Senate contained 26 per cent of members who were serving their first sessions in the legislature; in the House, 53.7 per cent of members fall in this class. This means that more than twice as many Representatives are novices in legislative practice — a very important fact, if such experience is of value in raising the standard of ability of legislators.

A second important fact appears in considering the relative numbers of members serving first and second sessions in the average legislature. In the Senate, this group comprises 52.3 per cent of the total, and in the House, 88.8 per cent. This means that in the average Senate 47.7 per cent of the members are serving from their third to their eleventh sessions, as contrasted with only 11.2 per cent in the House who have that much experience. Indeed, no House members during the period under consideration served more than eight sessions. Irrespective of the constitutional requirements, then, the Senate contains more experienced legislators than the House. The definite statement can therefore be made, on the basis of statistics covering fifteen General Assemblies over a period of twenty-seven years, that the personnel of the average Senate during that period is characterized by the presence of very many more members having considerable legislative experience than is the case in the House of Representatives. Furthermore, the

differences in every instance are so considerable as to appear to have real significance.

In order to appreciate thoroughly the meaning of the situation just described, it would be necessary to determine in some way the real value of legislative experience. Certain general statements, true of experience of any type, are probably applicable in this case. The gain from repetition of an activity is greatest during the initial stages, the advantage gradually decreases with succeeding repetitions, and finally a stage is reached when there is little or no advantage in the repetition of experience.

Applying this to membership and work in the Assembly, it may be safely assumed that the most valuable and extensive additions are made to a member's experience during the first one, or two, or three sessions. Considerable variation would undoubtedly be found between individual members in their ability to continue to profit by serial units of experience, but it is doubtful whether there would be any cases in which an even approximately equal gain would be reported in the last of a long series of sessions of membership.

The application of this discussion to the situation in the Iowa General Assembly, in which only 26 per cent of Senators as compared with 53.7 per cent of House members are new in their particular houses in the average session, seems to prove that the Senate is actually a more experienced body although no definite measurement exists of the qualitative difference except a scale based on presence during a given number of sessions.

The conclusion must depend upon willingness to accept the assumption that, to some extent at least, numerous successive sessions of legislative service are productive of a type of experience which produces better legislators. Apparently the makers of the Iowa Constitution had this idea

in mind, as is evidenced by the arrangement which they incorporated in that document to insure automatically at least a minimum amount of experience to members of the Senate. The present study indicates rather conclusively that the Senate actually is more experienced than the House, but nothing short of an individual study of many members can demonstrate what this experience has meant and whether, in the aggregate, its benefits have been so great that we are warranted in continuing to have a bicameral legislature in order to guarantee one house having at least fifty per cent of its members experienced, while the other house is automatically deprived of that guarantee. To be sure, by depriving the House of the benefit of considerable experience there is made possible an increased flexibility and a responsiveness to changed public opinion which can not be secured to the same degree in the Senate. The figures show that 49.85 per cent of Senators are elected for one term only, but this of course means that this group of members serves two sessions. Table VI shows that 53.7 per cent of House members are elected for only one term which means for one session. That is, the House makes approximately a fifty per cent change twice as often as does the Senate. The result of this situation is that the one house has possibilities of greater responsiveness in representation while the other house has the greater experience.

EDUCATION

A short discussion of the material used in this section, and of the limitations to be considered in judging the worth of the statistics relating to the relative amounts of education in the Senate and House, may well precede a description of results. In the first place, Table VII contains data from only nine sessions (the Thirty-first to the Thirty-ninth inclusive), instead of from fifteen sessions as in other

tables in this study. The volumes in the *Iowa Official Register* do not contain any statements relating to the education of members of the Twenty-eighth, Twenty-ninth, Thirtieth, Fortieth, Forty-first, and Forty-second General Assemblies.

A more serious limitation is inherent in the very nature of the problem. There is, in the first place, no agreement as to what constitutes "education". Nothing except the type of school attended by each member can be obtained for purposes of tabulation. Certainly "education" and "schooling" are not synonymous terms. Many a member of the Assembly who is listed as having only a common school education later read law or learned medicine by the office method, and a mere statement as to formal schooling can by no means be considered as representing the educational attainments of the member in question. It is probably a safe assertion that many members have much more education than their records indicate — and quite possibly some may have more schooling than education. Furthermore, there is no way of discovering in the group listed under "College or University", what was the grade or character of the institution attended, or how many years the member was in attendance. This group contains all variations from one year in a small college to seven or eight years in a university, yet all must be regarded as belonging to the same class. Finally, a few errors were discovered in the *Official Register* data. It was observed in a very few instances that members were listed in different groups in succeeding sessions. The objections just mentioned might be serious in a descriptive study, but in a comparative study such errors in data are presumably constant in both Senate and House statistics and consequently produce negligible effects in final results.

The following table shows the percentages of members of the Senate and of the House of Representatives of the Iowa

General Assembly (Thirty-first to Thirty-ninth sessions inclusive) having a certain type of education.

TABLE VII

NUMBER OF GENERAL ASSEMBLY	SENATE							
	RURAL SCHOOL	COMMON SCHOOL	GRADED SCHOOL	HIGH SCHOOL	BUSINESS COLLEGE	ACADEMY	NORMAL	COLLEGE OR UNIVERSITY
31st	14	6	8	10	4	8	0	50
32nd	6	12	6	14	6	14	0	42
33rd	4	14	4	10	6	6	0	56
34th	4	14	6	10	4	6	0	56
35th	4	18	2	14	4	12	0	46
36th	2	20	2	12	0	8	0	56
37th	4	10	10	12	2	6	0	56
38th	0	10	4	8	10	10	0	58
39th	2	4	2	10	14	14	4	50
Average	4.4	12.0	4.8	11.0	5.5	9.2	.4	52.2
NUMBER OF GENERAL ASSEMBLY	HOUSE OF REPRESENTATIVES							
	RURAL SCHOOL	COMMON SCHOOL	GRADED SCHOOL	HIGH SCHOOL	BUSINESS COLLEGE	ACADEMY	NORMAL	COLLEGE OR UNIVERSITY
31st	20	5	9	8	3	16	0	39
32nd	5.5	24	6.4	10.1	4.6	15.7	0	33.3
33rd	6.4	17.5	3.7	8.3	4.6	15.7	0	43.5
34th	5.5	12.0	4.6	9.2	7.4	14.8	0	46.2
35th	5.5	18.5	4.6	10.1	3.7	9.2	0	48.1
36th	7.4	12.0	4.6	10.1	8.3	12.9	0	44.4
37th	7.4	7.4	5.5	12.9	5.5	12.9	0	48.1
38th	4.6	11.1	7.4	11.1	8.3	5.5	0	51.8
39th	3.7	12.9	4.6	15.7	5.5	7.4	18	48.1
Average	7.3	13.3	5.6	10.6	5.6	12.2	.2	44.7

A brief summary of the results contained in Table VII will make clearer the comparison between the types of schooling of the members of the Senate and House.

Rural, common, and graded schools — Senate 21.2 per cent of members; House 26.2 per cent of members.

High school, business college, and academy — Senate 25.7 per cent of members; House 28.4 per cent of members.

College and university — Senate 52.6 per cent of members; House 44.9 per cent of members.

This indicates that, with the single exception of a very slightly larger percentage of Senators having college or university educations, the differences between the two houses are negligible. By consulting the results for each session during the period, in the Senate and House, it is evident that the differences as indicated in the totals above are fairly constant, although a few wide variations occur.

While no claim is advanced that these results prove that the Senate is very little better educated than the House, an accurate summarization is contained in the statement that negligible differences exist between the amounts of education, as measured by the types of schools attended, which are listed by members of the Senate and of the House of Representatives from the Thirty-first to the Thirty-ninth sessions of the General Assembly.

AGE

Having considered the comparative legislative experience and education of members of the Senate and House, the third problem is a comparison of the ages of these members with a view to determining whether the bicameral system produces one house whose members are more mature and one house whose members are relatively young, or whether we actually have approximately the same average age and age distribution in the two houses. The State constitutional requirement that Senators must be at least twenty-five years old, while the House members need be only twenty-one years of age, is apparently for the purpose of securing older men in the upper house. But such a constitutional

provision is not proof that anyone will actually run for office who will be in the least affected by it, nor that the House will contain any members between the ages of twenty-one and twenty-five. The only way to determine definitely the effect of a system is to make a survey of the situation which results from its operation.

The following table shows the average age of members of the Senate and of the House of Representatives of the Iowa General Assembly (Twenty-eighth to Forty-second sessions, inclusive), in each General Assembly during the period.

TABLE VIII

NUMBER OF GENERAL ASSEMBLY	AVERAGE AGE OF SENATORS	AVERAGE AGE OF REPRESENTATIVES
28th	48.28	45.75
29th	49.18	48.30
30th	48.62	50.07
31st	50.66	51.80
32nd	49.90	48.38
33rd	49.06	49.15
34th	50.56	48.62
35th	49.50	47.20
36th	48.00	48.88
37th	48.88	49.64
38th	49.82	51.39
39th	48.66	50.98
40th	50.92	49.90
41st	51.97	50.74
42nd	48.72	51.34
Average for the period	49.51	49.47

Two methods of arriving at such an understanding are possible and both have been used. Table VIII gives the average age of members of the Senate and of the House in all General Assemblies from the Twenty-eighth to the Forty-second inclusive, and shows finally the average age of Senators and Representatives for the entire fifteen Gen-

eral Assemblies. Such averages have value, but do not give a detailed picture of the situation as a whole. Table IX is a comparative table based on the ages of members of the same fifteen General Assemblies. The method of tabulation adopted in this instance is that of arranging the members in age-groups of five years each, ranging from twenty-one to eighty-five years. The information contained in this table is probably more valuable and more significant than is a statement of average ages, such as is contained in the first mentioned table.

The following table shows the relative percentages of members of the Senate and of the House of Representatives of the Iowa General Assembly (Twenty-eighth to Forty-second sessions, inclusive) in five-year age-groups, ranging from twenty-one to eighty-five years.

TABLE IX

FIVE-YEAR AGE-GROUPS	HOUSE OF REPRESENTATIVES	SENATE
21 to 24 years		.19
25 to 30 years	1.06	3.61
31 to 35 years	4.43	7.61
36 to 40 years	10.34	11.67
41 to 45 years	17.05	12.57
46 to 50 years	19.61	16.50
51 to 55 years	22.70	15.80
56 to 60 years	12.62	15.74
61 to 65 years	7.78	10.47
66 to 70 years	3.48	4.38
71 to 75 years	.66	1.33
76 to 80 years	.26	.05
81 to 85 years	.00	.05

Attention should be directed to several items in Table VIII. The average age of Senators for the fifteen assemblies is 49.51 years — that of the Representatives is 49.47 years. The difference is so very slight — only about four-

teen days — as to be negligible. But a comparison of the averages for the various individual Assemblies shows more variation. The Senate average varies from 48.00 years to 51.97 years — a range of 3.97 years — and the House average from 45.75 to 51.80 years — a range of 6.05 years. In two instances the House average was lower than *any* Senate average during the whole period — 47.20 years in the Thirty-fifth General Assembly and 45.75 years in the Twenty-eighth. In seven General Assemblies, however, the Senate average was higher than the House average of the same session, and in the remaining eight, the situation was reversed. Although these differences are more significant than that shown in the final average for the entire period, there is none which is striking. In so far as this table alone is considered, similarity, rather than difference, between the ages of the Senators and Representatives seems to be demonstrated.

Turning attention to Table IX which compares ages as arranged in five-year age groups, many interesting items may be selected for discussion. In the first place, the effect of the constitutional provisions which seemed to be intended to provide that the membership of the Senate should be slightly more mature than that of the House, can very well be seen. Since only .19 of one per cent of House members, during the entire period, were between twenty-one and twenty-five years of age, the effect of the constitutional provision is practically nullified in actual operation. Looking at the first three groups, which include all members under thirty-five years, only 5.49 per cent of Senators and 11.41 per cent of Representatives are included. This simply means that, as a matter of actual practice, young men either can not or do not run for legislative office, or those young men who do become candidates can not be elected in any considerable numbers. Of those who are elected, however,

more than twice as many enter the House as the Senate.

There are more men in the General Assembly who might be considered old — those over sixty years — than there are young men — those under thirty-five; in the Senate, 12.18 per cent are older than sixty, and in the House, 16.28 per cent are in this group. This in itself is a contradiction of the popular idea that House members are younger than Senators, since 4.10 per cent more of the former than of the latter are over sixty years of age. Thus both extremes in age are more prevalent in the House than in the Senate.

Using the age of fifty years as a mid-point, the mid-point in distribution is also approximated. In the Senate 52.49 per cent of the members are fifty or younger and 52.15 per cent of House members are of the same ages. This means that the groups of members below fifty years of age, and the groups over that age, are practically evenly distributed in both of the two houses.

It has been observed that rather few members are less than thirty-five years old, and that only a slightly larger number are sixty-one or over. The very large group in either house falls in the age groups between thirty-five and sixty — 82.33 per cent of Senators and 72.31 per cent of Representatives are included in these groups. These ages — thirty-five to sixty — include a period of twenty-five years. The question in the present instance is whether the members in the upper range of this group are more valuable legislators — is a man of sixty, other things being equal, necessarily a better law-maker than a man of thirty-five? There seems to be no reason to think that men between fifty and sixty years of age are preferable to men from thirty-five to forty-five years old. As a matter of fact, many people would be disposed to prefer the younger to the older group. In short, it is quite impossible to measure such a difference, since it is purely personal and the case of

every separate individual would have to be studied. Moreover, whether the younger men or the older men of this large group are favored, an examination of the five age-groups between thirty-five and sixty years of age shows such small differences — ranging from 1.33 per cent to 6.90 per cent — that the person favoring younger or older men would have little basis for preferring the condition in either the Senate or the House because of the predominant representation in that body of the preferred age-group.

A brief summary of the situation will serve to clarify the preceding discussion. The Senate with 5.49 per cent of members under thirty-five years of age, and 12.18 per cent over sixty-one, has fewer young and fewer old members than the House, where 11.41 per cent and 16.28 per cent are found in the two groups, respectively. The large number of members — 82.33 per cent in the Senate and 72.31 per cent in the House — can be included in what might be termed a “middle-aged” group — from thirty-five to sixty years old. Since this includes the great majority of members, it is consequently the important group. In the Senate, this group contains only 10.02 per cent more than in the House. In general, the difference which exists between the Senate and House is one of the range of distribution. The House has more young men and more old men — the Senate has more middle-aged men. The net result does not seem to show any really significant differences. The average age of members for the fifteen General Assemblies is almost the same, and the great majority of members is found in the same age-groups. In short, there seems to be no way of considering the statistics given to prove that the Senate and the House are essentially different in their make-up, in so far as age of members is concerned.

The question to which the preceding sections are an attempted answer is — in comparing the Senate and the

House of the Iowa General Assembly, with respect to wisdom and experience and maturity of judgment of members as measured by types of schools attended, number of sessions of legislative service, and age — are any considerable differences ascertainable? In this connection, the purpose of this study must be kept in mind. One reason for maintaining a bicameral legislature is for the purpose of securing two *definitely different* bodies carrying on legislative functions. If this is the purpose, the natural assumption is that the differences should be clear — one house should be distinctly well-educated, members should have served many more sessions, and should be, on the average, much older men. And, unless such a condition is proven to exist, this reason for maintaining two bodies, exact or approximate duplicates, is no longer valid. The very essence of the bicameral system is that the two houses should be different, although there is a variety of opinion as to the basis of differentiation which is proper.

Reviewing briefly the conclusions reached in the preceding sections of this chapter, the following situation is seen to exist. In so far as legislative experience is concerned, there is a real difference between the two houses in favor of the Senate, as measured by the comparative number of sessions of legislative experience of members. In comparing the education of members, as measured by the types of schools attended, a slight difference was discovered in favor of the Senate. The least difference was found in comparing the ages of the members of the two houses. That is to say, during the last fifteen General Assemblies in Iowa, the Senate has, on the whole, been characterized by a slightly older membership, with rather better educational preparation, and considerably more legislative experience, than has been characteristic of the House membership during the same period.

The inherent limitations suggested must be borne in mind in evaluating the significance of the situation just described. Difficulty in defining the qualities to be measured and in setting up standards of measurement must be apparent. The principal justification for using sessions of legislative experience, educational opportunity, and age as criteria is that, in so doing, qualities are being measured which it is assumed were intended to be procured in members of the legislature by the system set up in this State, in terms of the constitutional and legal provisions which establish that system. But in spite of this advantage, if thoroughly satisfactory conclusions were to be obtained, many more than these three qualities would have to be measured in order to determine whether differences or similarities exist in wisdom, experience, and maturity — three very complex human qualities. The great probability is, however, that these tests are fairly accurate indices, and that any other tests which might be applied would indicate much the same conclusions.

III

THE CHECK ON LEGISLATION

Of the numerous arguments for a bicameral legislature the one most universally expressed is that this form of organization results in more adequate consideration of bills, more careful revision of them before they appear in final form as law, and more efficient obstruction against the passage of undesirable legislation. Whether or not such desirable results are consequences of bicameralism has been largely a matter of opinion. There is no question that bicameral legislatures do give acts double consideration, in formalities at least; but whether the bills which are revised or defeated by the second chamber are undesirable

or not depends upon the point of view of the legislative critic.

The merits of most substantive changes in the law are debatable. If a person disapproves either of the form or the content of a particular bill, and this bill is passed by one house of the legislature and later is defeated in the second house, from his point of view, the bicameral system has fulfilled its principal function. Casual observation of the working of the system influenced by personal opinion is very common. From a scientific point of view such an appraisal is of little value. In the first place, an arbitrary, personal standard of "good" and "bad" legislation is set up. The decision is invariably based upon legislative action on a few striking bills of popular interest, and no attention is paid to what is done to literally hundreds of other bills. In order to determine the relative efficiency of the two houses of a particular legislature, action upon the total number of bills introduced during a legislative session should be carefully analyzed; and before a final opinion on the subject can be stated — even for one State — the work of several sessions will have to be studied in the same intensive and objective manner.

Unfortunately the very questions which it would be most desirable to answer are the most difficult. Those who are interested want to know which house does the most to further *good* legislation and is the most active in checking *bad* legislation, and what action is taken by each house on *important* and *unimportant* bills. These four descriptive adjectives denote purely subjective concepts. No objective rating of the legislature's record in this respect can be made until satisfactory definitions of "good" and "bad" and "important" and "unimportant" legislation are devised. That is, the qualitative measurement of legislative action is not yet — and, indeed, may never be — a possi-

bility from an objective point of view. A person acquainted with conditions in a specific State can consider the laws which are passed by the legislature in relation to those conditions, and, from his own knowledge of existing conditions and his own ideas of "good" and "bad" and "important" and "unimportant" changes, he can analyze the action of the legislature and evaluate it on the basis of the subjective standards which he has set up. Needless to state, no one else would completely agree with these results and some persons might not agree in any respect. For this reason, no attempt is made in this study to determine which house initiated, passed, or defeated the best, or the worst, or the most important, or the least important bills. From the viewpoints of desirability and importance all bills are considered to be equally worthy of legislative action and consequently are entitled to equal emphasis for the purpose of this study.

Although one very important field of investigation is thus closed, there is still the possibility of making an objective study on a quantitative rather than on a qualitative basis. It is quite possible to compare the action of the two houses on their own bills and on those of the other house with respect to the number defeated, the number passed with amendment, and the number passed without amendment. Passage, defeat, and amendment indicate respectively, substantial agreement, substantial disagreement, and agreement with greater or less modification of the original proposition. Degrees of agreement and disagreement and modification are more difficult to determine. Good and bad, important and unimportant modification through amendment can not be measured objectively, as has been pointed out before. It is, however, possible to determine whether amendments result in changing the content of the bills, or whether the changes are of a technical nature such as could

be taken care of by a professional bill-drafter and consequently do not really require legislative action.

Finally, a division of legislation into "new" and "old" content can be made. In the former class are included all bills which add to the content of statute law: they do not change existing law by amendment, substitution, or repeal. "Old" content is that which has previously been the subject of legislative action and in which the bill under observation proposes changes of a greater or less degree. To a slight extent, this division is arbitrary since *adding to* existing law in some cases modifies the content itself. But likewise in some cases amendment or substitution or repeal is so thorough-going as to result in substantially new content. It may therefore be assumed that these two facts will off-set each other sufficiently to reduce the error to a negligible point, and it must be remembered also that in a comparative study an error constant in both terms of the comparison has no such effect as it has in a descriptive study.

In a study of the bicameral legislature of Iowa, certain conditions peculiar to this State should at least receive mention as having a possible effect upon the legislative processes.

In the first place, the Iowa legislature is practically unipartisan in nature. Although the Democratic party always has some voting strength it is never sufficient, in recent years, to threaten Republican leadership. There are, of course, several factions in both houses but they seldom have the strength of a real party group and never have the permanence of political parties. The situation which would be quite possible in a State where Republicans and Democrats were approximately equal in numbers — that is, having a majority of members of one party in control in one house, and of the other party in the other house — has not

obtained in Iowa during the past quarter of a century. Although there is no absolute proof for the statement, it is reasonable to assume that houses controlled by opposite parties would have an additional incentive to inspect carefully and to check each other's legislation, which incentive is lacking in the situation described as existing in Iowa. Opposing factions of the dominant party in control of each house do not have the same incentive or power in checking legislation as organized parties do. This identity of make-up from a partisan standpoint must be borne in mind as an important influence in determining the actual operation of the bicameral legislature which is the subject of this study.

Furthermore, the frequency with which the State executive uses his power of vetoing legislation has a bearing upon the functioning of a bicameral legislature. David Leigh Colvin, in speaking of the New York legislature, says: "However, there is one feature of the present bicameral system which might be remedied in a single-chambered system, and that is the irresponsibility which the bicameral system engenders. Frequently measures pass one house which are never expected to become law and probably would not pass if there was a serious likelihood that they would reach the statute book. They are passed with the expectation that they will be defeated in the other house or vetoed by the governor. A frequent expression heard among legislators is 'Put it up to the governor.' Sometimes support is also given for a measure with the knowledge that it is unconstitutional and that it will be declared invalid by the courts, which serve as another check in addition to the second house and the governor. If the legislators realized that they were fully responsible, it is likely that many measures which now go through one chamber would not pass. There is a temptation to vote for a measure and avoid giving offense to some constituents

when it is probable that the bill will be defeated somewhere else."⁸⁴ Colvin next describes the relative checks exercised by the two houses on each other's bills and by the executive veto in the session of 1910 in New York. Nineteen per cent of the bills which passed one house or the other were killed in the second house, but the executive veto was exercised on nearly twenty-five per cent of the bills after they had been passed by both houses. "The check of the second house does not seem very effective when about one fourth of the measures passed by the legislature are of such a nature as to need checking by the executive."⁸⁵

The situation described as existing in New York can be called tricameral, rather than bicameral, in its actual working. The traditional use of the executive veto in Iowa is at the opposite extreme since it is very rarely exercised. Before 1917, only fifty-seven bills had been vetoed by the Governors since Iowa became a State,⁸⁶ as contrasted with two hundred and four bills in a single session in 1910, and two hundred and fifty-two bills in 1911,⁸⁷ which the Governor of New York vetoed.⁸⁸

Although it would be extremely difficult to measure accurately the effects of an active executive veto and of one which is rarely exercised, there would seem to be no question that a fundamentally different situation is created in the two cases. A legislature which *can* shift responsibility to the executive will do so at least part of the time, and a legislature which realizes that its action is practically final

⁸⁴ Colvin's *The Bicameral Principle in the New York Legislature*, p. 80.

⁸⁵ Colvin's *The Bicameral Principle in the New York Legislature*, p. 81.

⁸⁶ Swisher's *The Executive Veto in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XV, p. 212.

⁸⁷ Colvin's *The Bicameral Principle in the New York Legislature*, p. 110.

⁸⁸ In New York in 1910, thirty-six bills providing special laws for cities were vetoed by mayors, in addition to the bills vetoed by the Governor.—Colvin's *The Bicameral Principle in the New York Legislature*, p. 111.

must be governed to some extent by that realization. If these two statements are true, the Iowa legislature appears to be a more suitable body than the New York legislature to study in attempting to evaluate the bicameral system, since its operation contains no element of dependence upon a "third-house" type of executive check.

THE VOLUME OF BILLS

In comparing the action of the two houses of the Iowa General Assembly, consideration will first be given to the number of bills which are introduced. Tables X and XI give this data for the five General Assemblies (the Thirty-eighth to the Forty-second inclusive) between 1919 and 1927. An analysis of action covering such a period seems to be based upon a sufficiently large number of examples to make the results derived valid, since it involves the action taken by five different legislative bodies upon more than five thousand bills. During this period there is some variation in the number of bills introduced per session. In the Thirty-ninth General Assembly, and again in the Fortieth, approximately two hundred and seventy Code revision bills were introduced in both houses. All consideration of these bills is omitted in this study since they can not be thought of as ordinary legislation. For the same reason, the work of the extra session of the Fortieth General Assembly is omitted since most of the recent codification of Iowa statute law was accomplished at that session. Bicameral Code revision is, to be sure, related to the problem under consideration, but it should properly be studied apart from ordinary law-making. The effects of Code revision may be the cause of the reduced number of bills in the sessions immediately preceding and following the special session at which the Code was actually revised. Furthermore, no account will be taken in the present study of the work of the extra

session of the Forty-second General Assembly in 1928, at which the chief business was the question of the issuing of bonds for highway improvement.

An inspection of the total numbers of bills introduced in the Senate and in the House indicates clearly that whatever the influences might be which led to the introduction of more or of less bills in the different sessions, these influ-

TABLE X

Number of General Assembly	Total number of bills introduced in the Senate	Number of Senate bills defeated by the Senate	Number of Senate bills defeated by the House	Number of Senate bills passed by the House	Number of Senate bills passed by the House <i>with</i> amendment	Number of Senate bills passed by the House <i>without</i> amendment
38th	556	257	97	202	56	146
39th	539	289	48	202	41	161
40th	503	295	46	162	39	123
41st	334	158	49	127	36	91
42nd	453	181	78	194	48	146
Total	2385	1180	318	887	220	667
Average	477.0	236.0	63.6	177.4	44.0	133.4

TABLE XI

Number of General Assembly	Total number of bills introduced in the House	Number of House bills defeated by the House	Number of House bills defeated by the Senate	Number of House bills passed by the Senate	Number of House bills passed by the Senate <i>with</i> amendment	Number of House bills passed by the Senate <i>without</i> amendment
38th	578	308	59	211	72	139
39th	608	294	107	207	56	151
40th	580	321	82	177	42	135
41st	413	199	57	157	32	125
42nd	527	292	63	172	36	136
Total	2706	1414	368	924	238	686
Average	541.2	282.8	73.6	184.8	47.6	137.2

ences were outside of the bicameral organization, since they are constant and produce similar variations in the two houses. The largest number of bills was introduced in the House of the Thirty-ninth General Assembly and in the Senate of the Thirty-eighth General Assembly (608 and 556, respectively), and the smallest number was introduced in the Forty-first (413 in the House and 334 in the Senate). The average number of bills originating in the Senate during the entire period was 477 per session, as contrasted with 541.2 per session in the House.

This constant similarity in respect to the number of bills introduced for consideration by the two houses might possibly be used as an example to substantiate the claim that bicameral organization permits a division of labor. Apparently from eight to twelve hundred bills may be expected to be introduced in Iowa during each legislative session. If the formulation and preliminary consideration of these measures can be evenly divided between the two chambers those which clearly do not contain desirable proposals may be eliminated without consuming the time and energy of the entire membership of both houses. The effort thus saved can be used for a more minute consideration of bills with more merit and for the improvement by amendment of the bills which finally become law.

In connection with the discussion of the volume of bills an incidental difference between the situations in the two houses should be mentioned. Since the House membership is slightly more than twice as large as that of the Senate and since approximately the same number of bills is introduced in each chamber, the average number of bills per member in the House is about one-half the average number per member in the Senate.

Furthermore, comparison of the activity of the two chambers of the Iowa General Assembly in checking legis-

lation is considerably facilitated by the fact that both houses do about the same amount of work. The number of bills introduced, defeated, amended, and passed by each branch of the legislature may be expected to be about the same. In generalizing from Iowa practice this condition should be kept in mind. If two-thirds of all bills originated in the House and only one-third in the Senate, the resulting statistics might appear to demonstrate that one chamber is mainly concerned with the inauguration of new legislation while the other acts chiefly as a check, but this is not true in Iowa. The number of bills handled, the division of labor between the two chambers, the length of legislative sessions, the unipartisanship of the Assembly, and the use of the executive veto are all factors which might make Iowa conclusions inapplicable to bicameralism in other States.

THE CHECK ON BILLS IN THE CHAMBER OF ORIGIN

Having discussed some conditions peculiar to the Iowa General Assembly the next consideration must be the actual disposal of bills. Table XII gives this data for the bills

TABLE XII

Number of General Assembly	Percentage of its own bills defeated by each house		Percentage of bills introduced in the other chamber and defeated by each house		Percentage of bills introduced in the other chamber and passed by each house		Percentage of bills of other chamber passed with amendment by each house		Percentage of bills of other chamber passed without amend- ment by each house	
	S.	H.	S.	H.	S.	H.	S.	H.	S.	H.
38th	46.2	53.2	10.2	17.4	36.5	36.3	12.4	10.0	24.0	26.2
39th	53.6	48.3	17.5	8.9	34.0	37.4	9.1	7.6	24.8	29.8
40th	58.6	55.3	14.1	9.1	30.5	32.2	7.2	7.7	23.2	24.4
41st	47.3	48.1	13.8	14.6	38.0	38.0	7.7	10.7	30.2	27.2
42nd	39.9	55.4	11.9	17.2	32.6	42.8	6.8	10.8	25.8	32.2
Aver.	49.4	52.2	13.5	13.3	34.1	37.1	8.7	9.2	25.3	27.9

introduced in the General Assembly of Iowa, Thirty-eighth to Forty-second sessions inclusive, expressed in terms of percentages of the total bills introduced in each house. The percentages for the entire period are based on the average number of bills per session during the period.

Before examining the data contained in this table, an explanation of the word "defeated" as it is used in the column headings is necessary. This action includes every means by which bills are prevented from passing — failure to send to a committee, no report from the committee, failure to consider a committee report, indefinite postponement, striking the enacting clause, a negative majority in voting on the bills, and so forth. All are included under the same heading because the ultimate effect is the same.

A three-fold classification yields the following averages for the period. The Senate defeated approximately forty-nine per cent of its own bills, and the House approximately fifty-two per cent. The Senate defeated about thirteen per cent of all bills which were introduced in the House, and the House took negative action on about the same per cent of all the Senate bills. The remainder — thirty-seven per cent of Senate bills and thirty-four per cent of House bills — became law through passage by both houses and signature by the Governor. Some considerable variations are shown in the different sessions, but the present discussion will be based upon the averages just stated. The situation may be summed up in general terms as follows: (1) Each house defeats approximately one-half of its own bills. (2) Each house defeats more than one-seventh of the bills introduced in the other house. (3) Each house passes more than one-third of the bills introduced in the other house.

The most striking element of the situation is the relatively greater intra-cameral than inter-cameral check exercised by each house. Apparently about one-third of all the

bills introduced are fit to become laws. For the checking of one-half of all bills introduced, no second house is needed, since the house in which they originate is able to discover their undesirability and to prevent their enactment into law. It is only fair to call attention to the fact that this does not mean that either house is more efficient in defeating its own bills than in defeating the bills of the other house. It is obviously impossible for either the Senate or the House, acting as a checking body, to defeat that fifty per cent of the bills never sent to it.

Table XIII shows the action taken by the Senate and by the House (Thirty-eighth to Forty-second sessions inclusive) on those bills which were passed by the other house and sent to the second chamber. For purposes of accurate comparison all the bills in this group are considered separately and figured as one hundred per cent. On this basis, from twenty-six to twenty-eight per cent of the bills acted upon by the second house were defeated and more than seventy per cent were passed, approximately eighteen per cent of them with amendment and from fifty-three to fifty-

TABLE XIII

Number of Senate bills on which House took action	Number of Senate bills defeated by the House	Number of Senate bills passed by the House	Number of Senate bills passed by the House <i>with</i> amendment	Number of Senate bills passed by the House <i>without</i> amendment
100	26.3	73.6	18.2	55.3
Number of House bills on which the Senate took action	Number of House bills defeated by the Senate	Number of House bills passed by the Senate	Number of House bills passed by the Senate <i>with</i> amendment	Number of House bills passed by the Senate <i>without</i> amendment
100	28.4	71.5	18.4	53.1

five per cent without amendment. It is upon statistics of this nature that the discussion of the efficiency in defeating, passing, or amending bills should be based rather than

upon the total number of bills introduced. In so far as each house defeats or passes its own bills, the action is like that of a unicameral body, and it is only in its action upon that fifty per cent of all bills sent to it by the other chamber that a house can be said to be acting "bicamerally".

Since the primary interest in the present study is in bicameral action, little attention is paid to those bills which were defeated in the house of their origin and were consequently never considered by the second chamber. However, mention of one group of such bills must be made as being of a slightly different nature than the majority of the bills so classified. On the average, 116.6 pairs of companion bills were introduced during each of the five sessions under consideration. This means that identically the same bill was introduced in both the Senate and the House, but occasionally a "pair", so-called, consists of several identical, or practically identical, bills, and introduction of all of the

TABLE XIV

Number of General Assembly	Number of pairs introduced	Number of pairs passed	Number of pairs defeated	Number of Senate bills included in pairs	Number of Senate bills passed	Number of Senate bills defeated	Number of House bills included in pairs	Number of House bills passed	Number of House bills defeated
38th	121	93	28	135	47	88	123	46	77
39th	139	95	44	147	47	100	140	49	91
40th	141	102	39	152	60	92	135	45	90
41st	58	36	22	59	14	45	58	22	36
42nd	124	79	45	128	77	51	123	25	98
Total	583	405	178	621	245	376	579	187	392
Aver.	116.6	81.0	35.6	124.2	49.0	75.2	115.8	37.4	78.4

various members of the pair sometimes occurred in one house, rather than in two. This means that at least one bill of every pair would inevitably not be passed. If all of the

constituent bills in a pair are defeated, the result is just the same as though any single bill did not pass, and if one bill of a pair is enacted, the effect is the enactment of all other members of the pair.

The peculiar situation produced by the action taken on companion bills introduces a slight variation in the actual number of bills passed and defeated by the two chambers. But since the variations produced are very nearly identical in the case of the bills from each house, no alterations have been made in the totals to allow for action on companion bills, and, whether they were passed or defeated, they are treated exactly as bills which were introduced in one chamber only, although their slightly different nature is recognized.

THE CHECK ON BILLS BY THE SECOND CHAMBER

The second chamber has three alternatives with respect to action upon bills which come from the other house. These bills can be defeated in various ways, can be passed in the original form, or can be altered and passed as amended. The record of the two houses, on the average for the period under consideration, has been stated in Table XII and a part of this record has just been discussed (that is, the bills which were defeated). The Senate passed 34 per cent of all House bills, 8.7 per cent having been amended as contrasted with 25.3 per cent passed in the same form in which they came from the House. The House record on Senate bills varies little from this proportion as the figures clearly indicate.

The meaning is rather obvious. About one-fourth of all bills are passed by one house and adopted by the other without change. This second passage may, or may not, have been preceded by new consideration, for there is no certainty that double passage means double consideration.

About nine per cent of all bills received at least some reconsideration, as is evidenced by amendments made. Each house thus receives about one-half of all bills introduced in the other, more than one-fourth of those received are defeated, almost one-fifth are amended and passed, and more than one-half are re-passed without change. That is, each house can be said *with certainty* to have actually exercised its revising and checking power on less than one-half of the bills which passed the other house, and these bills passed by the other house are less than half the total number there introduced.

With regard to the other half of the bills which a house receives after passage by the house in which they originated, the revising and checking power may have needed to be used, or the bills may have been so satisfactory that there was no reason for amending or defeating them. In either case, the bicameral consideration was useless. If the first house produced bills which needed no changing or defeat, the time of the second house was wasted in reconsidering them. If amendment or negative action should have been exercised and was not, the second house consideration was useless. Apparently the bicameral system is operative in the case of less than one-fourth of all the bills introduced in the Iowa General Assembly (approximately thirteen per cent were defeated and nine per cent passed with amendment). The bicameral system is not actually functioning with respect to those bills which are defeated in the chamber of origin without consideration by both houses, or those bills which are re-passed by the second house in the same form in which they were received from the house in which they were introduced.

A partial comparison with the practice in five other States — New York, Illinois, Wisconsin, New Mexico, and California — can be made by reference to recent studies

by David Leigh Colvin,⁸⁹ May Wood-Simons,⁹⁰ John E. Hall,⁹¹ and James Allan Clifford Grant.⁹²

THE EFFECT OF BICAMERAL ACTION IN THE IOWA GENERAL
ASSEMBLY FROM THE VIEWPOINT OF NEW
AND OLD LEGISLATION

In an explanation of the possibilities for quantitative measurement of legislation and legislative processes which was given rather briefly in the introduction to this chapter, the statement was made that the bills introduced and passed could be classified according to *new* and *old* subject-matter. A precise distinction between the two may be made. New content may be considered as being so different from existing law that it can not be incorporated through amendment or substitution for existing law. Bills classified as being old in content merely propose changes of a greater or less degree in law which already exists. That the application of this distinction must result, in practice, in a somewhat arbitrary division is granted. But since the application is made according to the same standard throughout, and since whatever errors are present are constant in the classification of the bills of both houses which are to be compared, it may be assumed that the results are fairly accurate, and have some value as indicating the actual condition. Since a uniform technique of classification was necessary in order to prevent the entrance of subjective judgment, all bills which proposed to amend, to repeal, or to repeal and substitute for, definite sections of the Code were classified as containing *old* content. All other bills were considered *new*. In ap-

⁸⁹ Colvin's *The Bicameral Principle in the New York Legislature*.

⁹⁰ Wood-Simons's *The Operation of the Bicameral System in Illinois and Wisconsin* in the *Illinois Law Review*, Vol. XX, pp. 674-686.

⁹¹ Hall's *The Bicameral Principle in the New Mexico Legislature* in the *National Municipal Review*, Vol. XVI, pp. 185-190, 255-260.

⁹² Grant's *The Bicameral Principle in the California Legislature*.

plying this classification to more than five thousand bills, examples of improper classification are probably as numerous in one group as in the other, and so off-set each other.

Having explained the basis and the method of classification, the results may be discussed. Table XV shows all the bills introduced in the five sessions under consideration, in the Senate and the House, classified according to their content as bills which contain new statute law or which amend or repeal existing statutes, and converted into percentages.

TABLE XV

NUMBER OF GENERAL ASSEMBLY	SENATE		HOUSE OF REPRESENTATIVES	
	NEW CONTENT	AMEND OR REPEAL	NEW CONTENT	AMEND OR REPEAL
38th	33.27	66.73	32.18	67.82
39th	36.55	63.45	33.71	66.29
40th	38.17	61.83	35.34	64.66
41st	32.63	67.37	32.20	67.80
42nd	28.03	71.97	26.37	73.63
Average	33.73	66.27	31.96	68.04

In determining the relative numbers of bills containing new and old subject matter, legalizing acts and appropriation acts are different from other bills. As a rule, their effects are special and temporary in nature and their enactment does not increase the bulk of statutory law. Both groups are practically always "new" since neither an appropriation nor a legalizing bill typically proposes to amend or to repeal existing law. If it could be stated, without exceptions, that legalizing and appropriation acts always contained new content, their numbers would have been deducted from the total bills of each session before the work of classification was begun, in order not to give the "new content" group an unwarranted advantage in numbers.

But there are enough exceptions to the general condition to make such a deduction inadvisable, although its desirability should be noted.

On an average throughout the period under consideration, approximately twenty-five legalizing acts were introduced in the Senate and thirty-one in the House in each session. A very large proportion of such bills were enacted by each house. Sixteen of every twenty-five Senate legalizing bills and twenty-four of every thirty-one House bills were passed, and, in reality, through the passage of companion bills the number actually enacted was slightly larger than that stated.

Approximately fifty-four appropriation bills per session were introduced in the Senate on an average, and fifty-one were introduced in the House. Counting the companion bills enacted, approximately forty Senate appropriation bills and forty-two House appropriation bills were enacted in each session.

If these legalizing and appropriation bills were to be deducted from the so-called new-content bills, it would result in a very material decrease in the number of bills in this group. But the decrease in both the Senate and House bills would be approximately equal, leaving the final comparative results not greatly altered.

Consulting Table XV, similarities rather than differences are to be noted in a comparison of the data for the two houses. Approximately one-third of the bills introduced in each house contained new subject-matter, and two-thirds of the bills related to changes in existing law. The Senate of the Fortieth General Assembly introduced the most new, and the fewest old, content bills (38.17 per cent and 61.83 per cent, respectively), and the House of Representatives of the Forty-second General Assembly introduced the fewest new, and the most old, content bills (26.37 per cent and

73.63 per cent, respectively). But in neither of these extreme cases is there a marked divergence from the averages for the period.

A detailed comparison of the various items in the table confirms this statement. If the introduction of new legislative material be considered an evidence of radical tendencies which are to be curbed or of a desirable tendency to adopt governmental reforms in Iowa, neither house can be singled out for blame or for praise. Bicameralism consequently can not be said to have produced any measurable differences with respect to the introduction of new and old legislation, in so far as this can be measured by the method adopted.

AMENDMENT OF BILLS BY THE IOWA GENERAL ASSEMBLY,
USED AS EVIDENCE OF THE BICAMERAL CHECK ON
HASTY AND ILL-CONSIDERED LEGISLATION

If a second legislative chamber is functioning properly, it is generally believed that such a body will not only defeat bad legislation, but that it will carefully revise many proposed laws in order that undesirable features may be removed, new content of a desirable nature added, technical defects remedied, or language altered to make the legislative intent more clearly apparent. Table XVI presents the record of the action taken by the Senate and by the House of Representatives, respectively, upon the bills sent to each house after passage by the house in which the bill originated, presenting the data in total gross numbers for the five sessions under consideration, and also in percentages.

A careful examination of Table XVI reveals the fact that in the particular type of action under discussion the records of the two houses are very similar. In both cases almost one-half of the bills passed and sent to the second chamber for consideration had been amended by the house in which they originated. The Senate defeated a slightly

TABLE XVI

ACTION ON SENATE BILLS	GROSS NUMBERS PER CENT	GROSS NUMBERS PER CENT	ACTION ON HOUSE BILLS
Total number of Senate bills sent to the House	1205 100	1292 100	Total number of House bills sent to the Senate
Total number of Senate bills which Senate had amended	585 48.5	615 47.6	Total number of House bills which House had amended
Total number of Senate bills not amended by Senate	620 51.5	677 52.4	Total number of House bill not amended by House
Total number of Senate bills on which House took negative action	318 26.4	368 28.5	Total number of House bills on which Senate took negative action
Total number of Senate bills which passed the House with amendment	275 22.8	331 25.7	Total number of House bills which passed the Senate with amendment
Total number of Senate bills which passed the House without amendment	612 50.8	593 45.8	Total number of House bills which passed the Senate without amendment

larger number of bills from the other chamber than did the House of Representatives, and the Senate amended three per cent more of the House bills which it passed than the House amended of Senate bills which it passed. This slightly higher rate of defeat and amendment on the part of the Senate does not, of course, prove anything as to the value of the action taken nor as to the amount of consideration which preceded the action. But that the Senate amended and defeated a total of five per cent more bills than the House did is the only precise criterion which can be established as a basis for comparison of the activity of the houses. This is an indication at least of somewhat

greater activity — whether desirable or not is another question — on the part of the Senate during the last five sessions.

In a study of bicameralism it is particularly significant to observe that the second house does almost one-half as much constructive revision as the first house with respect to those bills which were considered by both houses. Of the Senate bills considered by both chambers, 48.5 per cent were amended by the Senate and 22.8 per cent by the House. The House amended 47.6 per cent, and the Senate 25.7 per cent, of House bills considered by both houses. Admitting that it is impossible to evaluate this revision, nevertheless the activity of each chamber in the amendment of the bills originating in the other house indicates true bicameral action. Furthermore, both the Senate and the House defeated more than 25 per cent of the bills originating in the other chamber — an additional evidence of bicameralism in practice.

The subject of amended bills may also be considered from a slightly different point of view. If the bills passed by the Senate or by the House and defeated by the other house are considered as a group (100%), it is clear that a few more of the bills which are thus defeated had been previously amended by the house of origin (53.4 per cent of the Senate bills and 50.5 per cent of the House bills) than had been passed without amendment. This might be an indication that at least half of the bills of this group, all of which were eventually defeated, had not been satisfactory as a rule to the first house which considered them. The second group of bills are those which having passed the first house were then amended and passed by the second house. Of these bills, the Senate amended 63.1 per cent before sending them to the House, and the House amended 60.0 per cent before sending them to the Senate. These

were then further amended by the second chamber. The need for amending these particular bills seems to have been apparent to both houses. In the same way, the second chamber tended to enact without amendment a preponderance of the same bills which had passed the first chamber without amendment, though this tendency was not sufficiently pronounced to be especially significant.

Summarizing the preceding discussion of amendatory action, the evidence indicates a very slightly greater tendency on the part of the Senate to improve, through amendment, the bills introduced in that house than was shown by the House of Representatives. This tendency is less remarkable, however, than the very high standard set by each house in revising proposed laws, whether these laws originated in the house by which they were amended, or in the other chamber. Both houses apparently made a conscientious effort to improve the legislative output.

The expression "to improve" in the preceding paragraph is used deliberately. Amendment is a frequent device, not to improve a bill from the standpoint of its author and its supporters, but to get it into such an unsatisfactory form in their opinion that they will cease to support it. But this result is an "improvement" in the opinion of those who do not favor the bill. All amendment is for the purpose of improving legislation, according to this way of looking at it. Any member who had so amended a bill which he opposed, that the bill was lost, would think that he had improved legislation. The negative act of prevention of undesirable legislation through hostile amendment is an effective legislative device. For that reason, all amendatory action may be considered equally good or equally harmful. At least, it presupposes *some* consideration and consideration can scarcely be thought of as undesirable in itself, whatever the final result may be.

THE TYPES OF AMENDMENT MADE BY THE IOWA GENERAL
ASSEMBLY IN RELATION TO THE IDEA OF
BICAMERAL CHECKS

An adequate analysis of the various ways in which a bill can be modified by amendment is not possible from a statistical point of view. Relative degrees of change in law are not directly proportionate to the total number of words changed in its statement. The change of a single word or a figure (as items in an appropriation bill) may make a more substantial change than the re-writing of an entire Code section, if the re-writing is for the purpose of securing a clearer or more accurate statement of the same content.

But two big classes of amendment are fairly apparent. One type may be said to effect changes in the content while the other type makes only technical changes, leaving the content unchanged. The clearest explanation of the classification can probably be accomplished by listing those amendments which were included in the so-called "technical" group. (All amendments of other types than those here mentioned were considered to be "content" amendments).

1. Bill re-written with no apparent changes in content.
2. Bill re-written in order to arrange it in sections.
3. Changes in the wording of the title.
4. Corrections in number of section, number of line, misprints, grammatical construction, spelling, etc.
5. Minor changes in the order of words to make meaning clearer.
6. Writing out numerals in words, or adding them in figures in parentheses, to produce this form "section four hundred twenty-three (423)".
7. Striking or adding connectives in a series when numbers are added to it, or removed from it.
8. Changes like the following examples:
"Waters of the state" to "waters within the state"; "Adding" to "inserting"; "Inhabitants" to "public".
9. Strike words like "latter" and "former", and insert noun when antecedent is obscure.

10. All changes in publication clauses. Entirely adding or entirely striking a publication clause was considered to be a content change, but if the bill originally had such a clause, changes in it were held to be technical.

Besides explaining the difference between the technical and the content amendments, an explanation of the unit used in making the tabulation is necessary. A particular bill was chosen for study and a list of all amendments to it was made. If one or several of these separate amendments were technical in nature, this was listed as "technical amendment". If one or several of them changed the content, the bill was said to have "content amendment". Consequently, it is possible for a bill to have no amendment, a content amendment, a technical amendment, or both a content and a technical amendment.

The use of this method of tabulation makes the data more valuable from a qualitative than from a quantitative standard. As a matter of fact, a bill listed as having received a technical, or a content, amendment may have had several different amendments of the particular kind mentioned, or it may have had one only. No account can be taken objectively of the *amount* of amendment. As has been pointed out, a single word changed may vitally change the content of several sections of the Code, while the re-writing of a complete section may result in substantially identical content. In the consideration of so large a number of bills it may be assumed that no serious derangement of final conclusions has resulted from the disregard of the quantitative element.

In comparing the records of the Senate and of the House of Representatives in the amendment of their own bills it is apparent that the House amends a slightly larger percentage of its own bills than the Senate does. In comparing the records of the two chambers with respect to their tendencies to enact technical and content amendments to their

own bills, the House enacts approximately five per cent more content amendments, and the Senate approximately seven per cent more technical amendments, than the other chamber. The average number of amendments per bill is approximately the same in the case of both houses, but in the Senate the average number of amendments per bill

TABLE XVII

	SENATE		HOUSE	
	TECHNICAL	CONTENT	TECHNICAL	CONTENT
Classified amendments to bills which passed one house and were defeated by the other house	100	142	85	163
Classified amendments to bills which passed one house and were passed by other house (with amendment)	76	119	82	123
Classified amendments to bills which passed one house and were passed by other house (without amendment)	166	212	152	229
Total classified amendments by each house to its own bills	342	473	319	515
Total amendments by each house to its own bills		815		834
Classified amendments made by each house to bills of the other house	132	187	95	202
Total classified amendments made by each house on all bills	474	660	414	717
Total amendments made by each house on all bills		1134		1131

which was amended is very slightly higher than in the House.

An examination of the comparative records of the two houses shows the differences and the similarities in their tendencies to make technical and content amendments to their own bills and to those of the other house. The Senate passed technical amendments to 51.96 per cent of all bills which it amended and content amendments to 73.63 per cent of all amended bills, a ratio of about 5 to 7, while the House made technical amendments to 40.42 per cent of all amended bills and content amendments to 85.95 per cent, a ratio of about 5 to 10. The Senate's tendency to make technical changes and the House's tendency to amend content is even more definitely shown in their records based on amendments made to the bills of the other house as shown in Table XVII. The Senate passed technical amendments to 132 House bills and content amendments to 187. The House passed technical amendments to 95 Senate bills and content amendments to 202. The total amendment records are as follows: the Senate, 474 bills with technical amendment and 660 with content amendment; the House, 414 with technical and 717 with content amendments.

The preceding discussion suggests that, in Iowa, the House of Representatives in revising proposed legislation is rather more interested in amending content than is the Senate, and that the latter body revises technical aspects of bills to a greater extent than the lower house. In so far as the two bodies exercise a different type of revising action, one of the prime advantages of bicameralism is apparently produced — namely, that the two chambers shall in some way or other bring to bear upon proposed legislation a different type of influence. Whether it is worth while to maintain two chambers to produce the situation described as existing in Iowa, is doubtful. Neither house would need

to make technical amendments if a proper bill-drafting agency were in operation, and the usual recommendation is offered that such an agency be established rather than that one or the other house be depended upon to exercise this type of revision.

SUMMARY

To summarize the discussion in this chapter relating to the consideration, revision, and check on the legislation of the Iowa General Assembly, a number of definite statements can be made.

1. Each house defeated more than one-seventh of all the bills introduced in the other house.

2. Each house defeated less than one-third of the bills which were passed by the chamber in which they originated and sent to the other house for consideration.

3. Each chamber defeated about one-half of all the bills which its own members initiated — a fifty per cent unicameral check.

4. Each house passed more than one-third of all the bills introduced in the other house.

5. Each house passed seven-tenths of all bills which were passed by the chamber in which they originated and sent to the other chamber for consideration.

6. About one-fourth of all bills introduced in the two houses and passed by the house in which they were originated were passed by the second chamber in the same form in which they were received from the chamber of origin, indicating no positive check by the second chamber.

7. About nine per cent of all bills introduced in the two houses and passed by the house in which they originated were passed by the second house following amendment by the second chamber, indicating a definite constructive check on the legislation of the first chamber.

8. Of all the bills passed by one house and received in the second house, more than one-fourth were defeated, less than one-sixth were amended and passed, and more than one-half were passed without change. This indicates that almost one-half of all bills received from the first house were subjected to action definitely bicameralistic in nature, and it is quite possible that many of the bills passed without alteration were actually considered with care by the second chamber.

9. The bicameral principle of revision and check was actually operative in the case of slightly less than one-fourth of all the bills introduced in the Iowa General Assembly (sessions Thirty-eighth to Forty-second inclusive), in so far as it is possible to measure revision and check by the number of amended and defeated bills.

10. Of all the bills introduced in the Senate and in the House, about one-third contain new subject matter and two-thirds propose changes in existing law.

11. Throughout the period under consideration, the Senate defeated and amended on the average about five per cent more bills sent to it from the other chamber than did the House of Representatives. The Senate was to that extent more critical as a second chamber.

12. In the case of both the Senate and the House, almost one-half of the bills passed and sent to the second chamber for consideration had been previously amended by the house in which they originated. This would seem to indicate that neither house takes advantage of the bicameral opportunity to shift responsibility.

13. Both the Senate and the House showed a marked tendency to amend the same bills, and to defeat amended, rather than unamended, bills received from the other house, indicating considerable unanimity of opinion as to the desirability of proposed statutes.

14. Both in the amendment of its own bills and of those sent to it by the other house, the Senate enacted more amendments of a technical nature, and the House enacted more amendments changing the content of the bill. This practice in Iowa illustrates the possibility of different types of consideration being applied to proposed measures in a bicameral system.

If the preceding summary statements are evaluated on the basis of differences and similarities which exist, as disclosed by the type of analysis which was undertaken, in the legislative action of the two houses of the Iowa General Assembly, similarities rather than differences will be seen to predominate.

In some respects, to be sure, real differences are disclosed, although in certain particular sessions the action of the Senate and House differed from the normal similarity of action for the whole period. Besides these differences in manner of operation, certain of the similarities denote real bicameralism. Quoting the seventh of the preceding summary statements, "The bicameral principle of revision and check was actually operative in the case of slightly less than one-fourth of all the bills introduced in the Iowa General Assembly (sessions Thirty-eighth to Forty-second inclusive)". Acting unicamerally, each house disposes of one-half of all the bills introduced by its own members, about one-half of the remainder are put in final form in the house of origin and passed by the second house without change, and the other one-fourth, beyond question, received at least a minimum amount of revision or actual defeat at the hands of the second house.

If it is desirable to have each separate bill considered by both houses, then the Iowa system is only fifty per cent effective. But if half of the bills introduced are obviously unnecessary or undesirable, there would seem to be no rea-

son for double consideration of them. If the twenty-five per cent of bills passed by the second house without change, can be proven to have needed change or even defeat, then the system is defective in that phase of its operation. But if these bills were desirable in content and correct in form, the second house could obviously do nothing wiser than to merely ratify the action of the first house. At least, an opportunity was afforded to make changes, and the fact that they might have been carefully reconsidered before passage by the second house is possibly a guarantee of the worth of these bills.

These suggestions are sufficient to show the difficulty involved in attempting to interpret the facts established. The only definite statement which can be made here is of fact, not of value. The Iowa General Assembly is strictly unicameral in its action on at least fifty per cent of all bills, and is bicameral in its action on twenty-five per cent. In the case of the remaining one-fourth of the total number of bills (those which passed the first house with or without amendment, and the second house without amendment), the action is rather a combination of the two types. Perhaps it would be better to say that in this group some bills received bicameral, and others unicameral, consideration, but that the second house in every case had the opportunity to revise or to check if it had so desired, which may be a valuable though dormant safeguard.

IV

A COMPARISON OF THE OPERATION OF THE BICAMERAL PRINCIPLE IN VARIOUS STATE LEGISLATURES

In an earlier chapter of the present study it was suggested that, before any final evaluation of the practical application of the bicameral principle in the American

Commonwealths would be possible, separate studies of the workings in each State, or at least in a considerable number of them (such studies being made on a comparable basis), must be available. In addition to the Iowa study herewith presented, four other studies have been made dealing with five different State legislatures, those of Illinois, Wisconsin, New Mexico, New York, and California. Any conclusions based upon a comparison between only six legislatures obviously can not be held valid in the case of the remaining forty-two legislatures. But such conclusions may be considered as at least indicating certain general conditions and tendencies common to all State legislatures. Furthermore, the sampling is somewhat representative. A large State legislature (New York) and a small State legislature (New Mexico) are included; one old State (New York) and two new States (California and New Mexico) have been studied; and a comparison can be made between Iowa and two of her neighboring States (Illinois and Wisconsin). The remainder of this chapter will contain a comparison of the results of the five studies dealing with the six legislative bodies mentioned.

With respect to the ages of legislators, no material is available in the case of Illinois, Wisconsin, and New York, while John E. Hall, in describing the New Mexico legislature of 1925 merely says, "The senate was also composed of older and more mature men".⁹³ In California, the average age of Senators for the four sessions of 1895, 1907, 1911, and 1915 was 43.5 years, and the average age of members of the lower chamber in the same sessions was 40.7 years, giving the Senate a very slight age advantage of three years.⁹⁴ In Chapter II of this study, it was stated

⁹³ Hall's *The Bicameral Principle in the New Mexico Legislature* in the *National Municipal Review*, Vol. XVI, p. 186.

⁹⁴ Grant's *The Bicameral Principle in the California Legislature*, p. 54.

that the average age of Iowa Senators during the last fifteen sessions was 49.51 years, as contrasted with 49.47 years, the average age of House members. Iowa legislators appear to be considerably older than members of the California legislature, and practically no difference is shown between the members of the two houses as is the case in California.

In comparing the legislative experience of members of the various bodies, Illinois and Wisconsin must again be omitted because of lack of data. In New Mexico in 1925, seven Senators out of twenty-four (twenty-five per cent) had previous experience and twelve out of forty-nine members of the lower chamber (twenty-four per cent) were experienced.⁹⁵ In New York in the session of 1913, sixty-two per cent of Senators and sixty-three per cent of members of the lower house were experienced legislators.⁹⁶ In the nine California sessions between 1911 and 1927, inclusive, approximately ninety per cent of Senators and slightly less than fifty per cent of members of the lower house were experienced.⁹⁷ Finally, in Iowa seventy-four per cent of the Senators and approximately forty-six per cent of the Representatives have served in the legislature in preceding sessions. New Mexico and New York, in spite of the great difference in the number of experienced men in their legislatures, are similar in that the situation in the upper and lower houses in each State is identical. Both California and Iowa have more experienced men than do New Mexico and New York, and in both States Senators have had considerably more previous experience than members of the lower house. The greater experience of members of the

⁹⁵ Hall's *The Bicameral Principle in the New Mexico Legislature* in the *National Municipal Review*, Vol. XVI, p. 186.

⁹⁶ Colvin's *The Bicameral Principle in the New York Legislature*, pp. 71-73.

⁹⁷ Grant's *The Bicameral Principle in the California Legislature*, p. 57.

Senate is probably due to constitutional provisions giving them a longer term of office than members of the lower house.

No comparison can be made between the occupations of Iowa legislators and those of Illinois, Wisconsin, New York, and California. In a single session in New Mexico (1925) a study of occupations was made, showing the following distribution of occupations among members.⁹⁸ In the Senate there were five merchants, four stockmen, three lawyers, two editors, two doctors, two real estate men, two ministers, one mine owner, one automobile salesman, and one railroad conductor. In the lower house there were thirteen farmers, six stockmen, four lawyers, four merchants, three clerks, three real estate and insurance men, two editors, two housewives, and twelve persons each representing a different occupation. In a few respects this situation differs from that described in Chapter II as existing in Iowa. There are relatively fewer farmers and lawyers in the New Mexico legislature, especially in the Senate. Furthermore, until 1929, no "housewives" sat in the Iowa General Assembly and there are relatively fewer merchants in that body than are listed in the New Mexico legislature.

The personnel of the two chambers of the Iowa General Assembly was compared with respect to education and residence. No comparison can be made with other legislatures in these two qualifications since the available studies contain no data on either subject.

The suggestion has been previously made that the party situation in a legislature has a possible influence upon the check exercised by one house upon another. In Iowa throughout the entire period under consideration, the Re-

⁹⁸ Hall's *The Bicameral Principle in the New Mexico Legislature* in the *National Municipal Review*, Vol. XVI, p. 186.

publican party has been in complete control in both houses. This situation seems to resemble that in California where the Republican majority in both houses is so large that "it has ceased to be a majority and become a monopoly".⁹⁹ In New York during the legislative sessions of 1910, the Republicans controlled both houses¹⁰⁰ but a real two-party situation existed.¹⁰¹ At the opposite extreme, in New Mexico in 1925, the Republicans controlled the Senate by one vote and the Democrats controlled the lower house by the same minimum margin.¹⁰² No comparable data with respect to party alignments in the Illinois and Wisconsin legislatures are available. This extremely variable factor of party control and leadership may have much to do with the effectiveness of the bicameral system.

In each of the studies here compared, reference is made to the influence of the Governor's veto on legislative action. In Iowa the chief executive very seldom uses this power, and in many sessions it is not exercised even once, although a vetoed bill has never been enacted over his objections. In New Mexico (session of 1925) the Governor vetoed four per cent of all bills introduced, or ten per cent of all bills passed by both houses.¹⁰³ In Illinois, in both 1919 and 1921, five per cent of all bills introduced were vetoed, and in Wisconsin in the same years six per cent and seven per cent, respectively, were vetoed.¹⁰⁴ The New York Governor vetoed 204 bills in 1910, which constituted seven per cent of all

⁹⁹ Grant's *The Bicameral Principle in the California Legislature*, p. 68.

¹⁰⁰ Colvin's *The Bicameral Principle in the New York Legislature*, p. 8.

¹⁰¹ Colvin's *The Bicameral Principle in the New York Legislature*, p. 189.

¹⁰² Hall's *The Bicameral Principle in the New Mexico Legislature* in the *National Municipal Review*, Vol. XVI, p. 186.

¹⁰³ Hall's *The Bicameral Principle in the New Mexico Legislature* in the *National Municipal Review*, Vol. XVI, p. 260.

¹⁰⁴ Wood-Simons's *The Operation of the Bicameral System in Illinois and Wisconsin* in the *Illinois Law Review*, Vol. XX, p. 685.

bills introduced.¹⁰⁵ Finally, in California in the years 1907 to 1925, inclusive, the Governor vetoed from fifteen to fifty per cent of all bills that passed both houses, and it is said that, both in number and in importance, the bills which were killed in the office of the Governor far outweighed those defeated in the second house.¹⁰⁶ The Iowa veto practice seems to be unique.

A summarization of the data relating to the action taken on bills by the legislatures of the six States is presented in Table XVIII. The material drawn from the five different studies is not exactly comparable because the number of sessions included varies from one to ten. The figures for Iowa are based upon bills introduced in five sessions, from 1919 to 1927, inclusive. Two sets of figures are given for Illinois and for Wisconsin, based upon the sessions of 1919 and of 1921. Data for a single session in 1925 in New Mexico, and for a single session in 1910 in New York, are given. In the case of California, two sets of data are presented, the first based upon the five sessions between 1907 and 1915, inclusive, and the second based upon the five sessions between 1917 and 1925, inclusive. In spite of the fact that the figures are based upon action taken by different numbers of legislatures at different times, a comparison of them is undertaken because the results — recognizing their somewhat unsatisfactory character — are nevertheless extremely valuable as being based upon all data available on the subject at the present time.¹⁰⁷

¹⁰⁵ Colvin's *The Bicameral Principle in the New York Legislature*, p. 110.

¹⁰⁶ Grant's *The Bicameral Principle in the California Legislature*, pp. 134, 135.

¹⁰⁷ Table XVIII, showing the action taken on bills by the upper and lower houses of six different State legislatures, is made up of data taken from five different studies relating to the operation of the bicameral principle in particular State legislatures. Since it was necessary to choose the data for each separate legislature, as it appears in the table, from many different parts of the studies, no attempt is made to give specific page references for each figure

TABLE XVIII

Name of State in which study was made	Number of bills introduced per session		Percentage of total bills introduced which were defeated in house of origin		Percentage of total bills introduced which were defeated in second house		Percentage of total bills introduced which were amended by second house		Percentage of total bills introduced which were passed by second house	
	S.	H.	S.	H.	S.	H.	S.	H.	S.	H.
Iowa (1919- 1927)	477	541	49	52	13	13	9	9	37	34
Illinois (1919)	580	763	45	67	13	3	16	7	41	30
(1921)	535	868	59	69	18	3	6	4	23	28
Wisconsin (1919)	640	710	27	45	9	7	10	10	63	47
(1921)	598	601	31	46	12	9	11	9	57	44
New Mexico (1925)	138	249	34	29	19	31	9	13	47	40
New York (1910)	1180	1755	No data	No data	6	8	1	7	No data	No data
California (1907- 1915)	1308.8	1565.0	54.7	60.2	9.1	9.7	No data	No data	36.2	29.9
(1917- 1925)	906.6	1330.0	47.3	51.0	7.0	5.5	28.8	27.4	45.6	43.5

There is a very wide variation in the number of bills introduced in each session in the various legislatures. In New Mexico in both the upper and the lower house the number was extremely small. At the other extreme, more than eight times as many bills were introduced in the New York

in the table. In addition to the present study of the Iowa legislature, the data are drawn from the following studies: Colvin's *The Bicameral Principle in the New York Legislature*; Grant's *The Bicameral Principle in the California Legislature*; Hall's *The Bicameral Principle in the New Mexico Legislature* in the *National Municipal Review*, Vol. XVI, pp. 185-190, 255-260; and Wood-Simons's *The Operation of the Bicameral System in Illinois and Wisconsin* in the *Illinois Law Review*, Vol. XX, pp. 674-686.

lower house as in the same body in New Mexico, and almost ten times more in the California Senate than in the New Mexico Senate. In both the upper and lower houses of the Illinois, Wisconsin, New York, and California legislatures more bills are introduced per session than in Iowa, but in Iowa many more bills are introduced than in New Mexico.

The negative check of the first house upon its own bills varies from twenty-seven per cent defeated in the Wisconsin Senate in 1919, to sixty-nine per cent in the Illinois lower house in 1921. The percentage of bills defeated by the house in which they originated in Iowa, from 1919 to 1927, is practically the same as the percentages defeated in the California legislature, from 1917 to 1925 (approximately fifty per cent). In comparison with Wisconsin and New Mexico, the unicameral check in Iowa is rather high, but both houses of the Illinois legislature of 1921 were more active in defeating their own bills than is the Iowa legislature, on the average.

A wide variation, though not so extreme as the one presented in the preceding paragraph, exists in the percentage of bills defeated by the second house in the different States. In New York only six per cent of the Senate bills were defeated by the lower house, but in New Mexico nineteen per cent were defeated. The per cent of lower house bills defeated by the Senate ranges from 5.5 per cent in California (1917-1925) to thirty-one per cent in New Mexico. The New Mexico record in this particular respect is distinctly higher than the other States. The Iowa record is higher than California and New York, resembling more closely the records of Illinois and Wisconsin. In Illinois and Wisconsin the lower house appears to be more critical than the upper house, the opposite is true of New York and New Mexico, while in California and Iowa little distinction can be made.

With respect to the amendment of bills by the second house, the records vary widely. The New York lower house, amending only one per cent of the Senate bills, and the Illinois Senate of 1921, amending four per cent of lower house bills, were the least active in this respect. At the other extreme, the California upper and lower houses of 1917 to 1925 amended, respectively, 27.4 per cent and 28.8 per cent of the bills of the other house. All the legislatures studied had higher records of second chamber amendment than Iowa except the Illinois legislature of 1921, and the New York legislature of 1910.

The Wisconsin legislature passes more bills sent from one house to the other than do any of the other legislatures, New Mexico occupies second place in this respect, California (1917-1925) third place, Iowa fourth, California (1907-1915) fifth, and Illinois sixth. The number of bills introduced in one house which are passed by the other house ranges from twenty-three to sixty-three per cent.

With respect to the type of content of bills and the kind of amendments made, no comparison can be made between the situation in Iowa, as it is described in the latter part of Chapter IV of this study, and the situation in other States, because the studies of bicameralism in Illinois, Wisconsin, New Mexico, New York, and California contain no comparable data.

The chief conclusion to be derived from the comparisons which have been the subject of this chapter is, apparently, that much more material must be assembled before any valid conclusions as to the value of bicameralism in State legislatures can be formulated. The comparisons throughout have illustrated very wide variations among the six States in which studies have been made. It is quite impossible to tell whether any one of the six represents an average, or typical, legislature until the remaining forty-

two have been described in comparable terms. Only two of the five studies which have been made (California and Iowa) cover a sufficient period of time to make their conclusions valuable even in the single State in which they were carried on. New York and New Mexico were studied for one session only, and Illinois and Wisconsin for two. In short, the merest beginning has been made in the collection of the data necessary for the solution of the problem.

If the operation of bicameralism in State legislatures is to be described accurately, the following procedure is suggested. After a preliminary survey of the materials available in each of the States, a definite technique of objective description must be established. The five studies existing at present are so different in this respect that comparison of them is difficult or even impossible, and the necessity for uniform method is clearly apparent. The second step is the application of the method developed to the forty-eight legislatures, which is a sufficiently comprehensive piece of work to occupy several persons. Finally, a single comprehensive study based upon the results of the forty-eight descriptive studies will give an answer in more definite and complete terms than anything now in existence to the unanswered question stated in the introduction to the present study—"Does the bicameral system of State legislative organization *in practice* fulfill the claims made for it *in theory*?"

The comparisons made in this chapter between the Iowa legislature and those of the five other States, in spite of the disadvantages mentioned, at least serve to indicate certain well-defined tendencies, which illustrate the type of generalizations with regard to bicameralism which could be finally established if sufficient data were at hand. Undoubtedly similarities and differences between the personnel and the actions of the two houses in the American State legis-

latures would be clearly apparent many of which are now quite unsuspected on the basis of our present incomplete and unscientific information.

Admitting the limitations in the basic material, certain generalized statements can be derived from the five existing studies.

1. There is not sufficient difference in the ages of the members of the upper and lower houses to warrant the maintenance of two chambers.

2. In some States members of one house are considerably more experienced as legislators than members of the other house, but this statement is not true in other States, particularly in those in which the term of members of both houses is the same.

3. Many different occupations are represented in each house, but there is no evidence of any recognition of the occupational basis of representation and certainly no proportional representation of occupations in either house.

4. Members of the upper house have had a slightly better educational opportunity than members of the lower house.

5. There are more members from larger urban areas in the Senate, and more from towns and rural areas in the lower house.

6. The party complexion of the two chambers is usually similar, though the two-party system is not always operative.

7. The veto practice of Governors varies from complete abstinence from use of executive negative to the exercise of the veto power on almost one-half of all bills received, which undoubtedly has a significant effect upon bicameral action.

8. Lower houses introduce more bills than upper houses.

9. Lower houses defeat a larger percentage of their own

bills than upper houses, which indicates a tendency to be more critical and a fuller acceptance of responsibility.

10. More Senate bills are defeated by the lower house than lower house bills are defeated by the Senate.

11. The lower house passes more Senate bills than the Senate passes lower house bills.

12. The records of the two houses with respect to the amendment of bills from the other house are nearly the same; neither is more constructively critical than the other.

13. The lower house tends to amend the content of proposed legislation, while the upper house tends to make technical changes.

14. The records of the two houses in the initiation of new legislation and of legislation which revises existing statutes are practically the same.

Emphasis must be placed upon the warning that the preceding generalizations are not to be considered as final or of general application. In some instances they are based upon a study made in a single State, and in no instance are they based upon the practice in more than six States. They are intended as examples of the sort of results which could be obtained if material similar to that at hand for six States were available for the entire forty-eight. These statements, however, may be used as working hypotheses for future study in the same, or in other States. Quite possibly several of these tentative statements would be discovered to be valid laws, and just as surely others would have to be modified or abandoned in the light of the new materials.

It has been rather clearly demonstrated in this chapter that if the application of the bicameral principle in forty-eight States is to be accurately described some such method as that used in the five studies heretofore made must be used. An absolute prerequisite of a comparative or a synthetic study is comparable data. Comparable data is not

the result of subjective description but can be obtained only through the consistent use of a uniform and objective method. Whatever the limitations of the quantitative method, it has the necessary characteristics of accuracy, uniformity, and objectivity, and it is almost impossible to believe that any adequate and scientific study of bicameralism in State legislatures can ever be made which does not depend in large part upon the quantitative measurement of the characteristics of these bodies.

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THE MEXICAN PROBLEM IN MASON CITY

[Material for this article was obtained by the author while a member of the staff of the Mason City Junior College during the school year of 1927-1928. He was assisted in the preparation of the article by Miss Anna Herskind, then a student in the Mason City Junior College.—THE EDITOR]

In 1928 Mason City celebrated the seventy-fifth anniversary of its founding in 1853. Such an occasion, it seemed to the author, was an appropriate time to make a study of one of the many foreign speaking groups who have contributed in no small degree toward making Mason City one of the most enterprising in northern Iowa. In 1920, only 113 Mexicans lived in Mason City. In 1925, due to the impetus provided by the increasing demand for sugar beets for the beet sugar factory in the northwest part of the city, the number of Mexicans had increased to more than four times the number resident here in 1920, and in 1928 the total comprised some 455 persons.

There are several reasons for this large increase in the Mexican population, chief among which are: first, the desire to take advantage of the high wages which are offered them for working in the beet fields; second, the advantages to be obtained in the United States as pictured by agents of industrial plants; third, the spirit of adventure; and fourth, the presence of some friend or relative who has already come to this vicinity. Very few of the Mexican immigrants in Mason City, however, have come because of the spirit of adventure.

It will be the author's purpose in this study to follow these Mexicans into their homes, and then to observe them in their daily life, noting as fully as is possible within the compass of a short discussion the peculiar needs and problems of these people.

The housing conditions of the Mexicans are perhaps the poorest of any foreigners living in Mason City. Those Mexicans who are employed by the Lehigh Cement Plant live in houses in the northwest portion of the city — a section ordinarily designated as "Lehigh Row". Many Mexicans are also found living in houses adjacent to the tracks of the Minneapolis and St. Louis Railroad, near the J. E. Decker Packing Plant. Occupied as they are by a class of workers who are unable to pay high rents, the houses in which the majority of the Mexicans live are frequently in a poor state of repair, unpainted, and unattractive, with door-yards cluttered by rubbish and dilapidated outbuildings. Upon entering the homes, a visitor notices at once the bareness of the rooms. The most common furnishings of the living room in such a Mexican home may include two iron beds, a cuspidor, a homemade cupboard, a long bench, and an old heating stove. The floor is bare. The wall paper may be torn from the walls in great patches or, if present, is usually written over and disfigured. The dining room, if such it can be called, contains another iron bed, a small table, a few poorly constructed chairs, and another homemade cupboard. In this room, in contrast with the formerly white woodwork of the living room, the woodwork may be a bright blue, but badly chipped off and marred. A visitor in such a home is immediately impressed by the fact that the whole downstairs of the house seems to be a maze of stove-pipes. There is a set of pipes leading from the living room heater through a double door to the dining room, and then into another room which may be used as a bedroom. The reason for this maze of pipes is, of course, evident — a severe Iowa winter demands that the one available stove be required to radiate as much heat as possible.

A Mexican family often consists of the father, mother, uncle, and numerous sons and daughters. The Mexicans

are very suspicious of American visitors until they have learned the reason for their visit. Once they learn, however, that their visitors are making a friendly call, they become most effusive and will invite their callers into the house. They are very profuse in their expressions of gratitude to a caller, and they cordially invite him to return.

A certain Mexican lad had been absent from school for several days, and the principal of the public school nearby called at his home one morning to ascertain the cause of the boy's absence. As the teacher approached the home, the boy was seen working about the yard. Upon being asked why he had not been coming to school, the boy replied that he had had to remain at home to assist his mother in keeping house. The teacher was not fully satisfied with this answer and asked if she might see the boy's mother. As the mother could not speak a word of English, the son acted as interpreter. When the mother was asked why the boy did not come to school, she replied that the father would not let him go to school because they were getting ready to move out into the beet field. When the principal asked why the younger son was not allowed to attend school, the mother replied that she was afraid he would be kidnapped.

The mother then told about her daughter who, while returning from school one afternoon, had been stopped and seized by a Mexican who forced her into his car and drove quickly away. Children who chanced to be playing nearby noticed the name of the car which the man drove. The matter, after being reported to the principal of the school, was placed in the hands of the police, who by examining the county automobile license records were able to determine the identity of the kidnapper, as he was the only Mexican who drove that particular make of car. Calls were immediately broadcast throughout the State and surrounding

country asking for the apprehension of the party. Before the man could be caught, however, he had passed through Des Moines, on across the southern States and over the Mexican border. Through the aid of the Mexican authorities the kidnapper was located, but he had not been returned to Cerro Gordo County for trial, nor had the daughter returned although the parents had received letters from her. One can scarcely blame the Mexican mother for feeling as she did about the safety of her son, for this failure of justice to function certainly gave her cause to believe that even in America, kidnapping could be carried on in the face of our laws guaranteeing liberty and safety of persons.

EDUCATION AND LANGUAGE DIFFICULTIES

Mason City is fast realizing that the problem of educating the Mexicans is of vital importance if the most serious of its foreign problems is to be solved. It is apparent also that although much can be done for the present generation of adult Mexicans, the great hope lies in the oncoming generation.

Perhaps the greatest problem in educating the Mexican is the language difficulty. The children can not understand English when they first enter the public schools for they are accustomed to hearing only Spanish spoken in their homes. Moreover the teachers find that in the process of educating Mexican children they must be taught to live properly, as well as to read and write English. A difficult problem which comes up at this point is how to teach the mothers what foods are best suited to build up strong and healthy bodies for their children. It is a common occurrence for a Mexican child to appear at school with a lunch composed of a pancake which appears to be several days old and tough as leather, inside of which are rolled some large Mexican beans, the whole then being rolled up and

tied with a string. This is the lunch which is expected to fit the child to brave the icy winds of northern Iowa. As it is almost impossible for teachers in the public schools to reach all of the Mexican mothers by personal interviews, the children are taught at school why this type of lunch is not proper for our climate, although it may have been appropriate for the warmer climate of Mexico.

In regard to the intelligence of Mexican children, much might be said. Some are considered by their teachers as very bright and quick to take advantage of the opportunity for education. Others seem to be much slower to learn. The smaller children seem to progress more rapidly than the older ones as their home environment affects them much less. When they reach the fourth and fifth grades a tendency toward retardation is noted. One of the most brilliant children in the McKinley School was a Mexican girl who in 1928 was in the fifth grade. Throughout her school career she ranked very high in her work, particularly as one of the best readers in the school, although her parents both speak Spanish in the home.

On the whole, the attitude of the Mexicans toward education varies much the same as it does among our native born. There are many who are extremely anxious to be educated. Many of the Mexican fathers want their children to have at least a grade school education. This is true primarily of the boys, as there is little work for an educated Mexican girl, and it is a general feeling among Mexican men that the woman's place is in the home. Most of the children enjoy the school work, but with no particular encouragement from their parents, it is little wonder that a great many lose interest in school and drop out.

Another reason why the children drop out of school is that many of the Mexicans living in Mason City are employed in the beet fields during the summer months. This

means that early in the spring the whole family will move out to little shacks in the beet fields, after the children have received perhaps a scant five months of schooling during the winter. While working in the fields, the family is so occupied that there is no time for education. The family does not return to town until the first of November. Many remain in the beet fields even later than November first as they are charged no rent for the shacks which the beet sugar company provides for them.

Although the school authorities of the city realize that material progress can be made in educational work chiefly with the children, there is, nevertheless, a great opportunity for educational work among the adults. It is practically impossible, however, under the present conditions to reach the mothers. Parent-Teacher Associations have been formed in the several schools of the city, but the Mexican mothers are not willing to come to the meetings as they can not talk English. To overcome this obstacle resort is sometimes made to having a foreign mothers' Parent-Teacher Association to which the women may come and bring their hand-work. The primary reason, however, why the Mexican mothers do not attend the P. T. A. meetings is that the women are required to remain in the home almost constantly. Many of the women are forbidden by their husbands to become Americanized. The Mexican husband wants his wife to remain as she was in Mexico. He does not even want to have his wife learn to speak English. When a little Mexican girl was asked why she didn't teach her mother to speak English, she replied, "Oh, no, father say mother must not learn English. We no allowed speak American in home when father there."

The problem of educating the Mexican father seems to be quite as difficult. In the first place, many Mexican men have no desire to learn. Others, of course, are very pro-

gressive and desire to get ahead. Perhaps as valid a reason as any why the fathers do not learn English is that they are too busy earning money with which to furnish pancakes, beans, and other supplies for the family. They simply haven't time to learn. They must work until late at night in many cases, and then come home too tired to study. It is discouraging for the teacher to see some poor Mexican, his hands knotted and stiff from his daily toil, trying to learn to write English with a pencil which makes false marks in a most provoking manner. According to the reports of teachers who have worked among the Mexicans, one obstacle to progress in education is the fact that during the day-time the Mexican men come under the influence of certain Americans whose incorrect grammar and whose slang phrases they learn. When they come to night school, they have a ready answer for the teacher who seeks to correct their errors in speech. If a Mexican says, "I done so and so yesterday", and the teacher replies, "You must not say 'I done it'. That is incorrect"; the Mexican may answer, "American say 'I done'. He born here, knows language. Why can't Mexican say 'I done'?"

With the many practical difficulties of educating the Mexican father and mother in mind, local educators are concentrating most of their efforts on the children in the hope of making them as fully American as possible.

MEXICANS AS WORKERS

Many of the Mexican men living in Mason City are employed either in the beet fields or in cement plants. Others are found in the employ of companies making brick and tile and other clay products.

As sugar beet cultivators, the Mexicans seem to excel. They are accustomed to hard labor in Mexico and will tend the beets at wages for which no American could afford to

work. Large numbers are brought in annually, either from Mexico or from the States of the southwest, to work in Cerro Gordo County. Here they are furnished with rude shacks by the Beet Sugar Company and are paid according to the number of acres tended. After the season is over, a great many leave for the South again, carrying all of their possessions with them in boxes and bundles.

In the Lehigh Cement Plant the Mexicans are used for the roughest types of labor, often in places in which native Americans refuse to work. At this plant little objection seems to be found to the Mexican as a worker. The North Western Cement Plant, however, does not care to hire Mexicans, except in case of an emergency.

In the brick and tile industry, Mexicans are considered to be satisfactory workers, as the type of work done there does not require great skill or rapidity of motion. According to these employers, the Mexican is easy to handle if he is treated well, and he is found to be polite and willing to do his work. At the same time, the Latin and Indian blood in the Mexican makes him quick tempered at times, which necessitates very skillful management on the part of the foremen.

The primary objection which Americans have to Mexicans as workers is that they are willing to work for a low wage because they can live more cheaply than Americans. This naturally means that many native born are deprived of work which they consider to be rightfully theirs. On the other hand, there are many jobs which Mexicans are holding that an American would not want unless he were paid an extremely high wage.

HEALTH CONDITIONS AMONG THE MEXICANS

When one considers the conditions under which they live, it is small wonder that the health of the Mexicans is found

to be poor. Tuberculosis is the greatest foe of the Mexicans in Mason City. It is due not only to the poor condition of the homes, but also to lack of money with which to provide clothing suitable for a cold climate. Moreover, the Mexican has had no past experience which would enable him to judge wisely as to what type of clothing provides the maximum of warmth in winter.

Two years ago a Mexican Commission was organized in Mason City to help defray the medical expenses of sick persons, and to help bear the funeral expenses of poor Mexicans. During the year twelve Mexicans died of pneumonia, and the venture was found to be so expensive that the commission was forced to abandon its project.

It is indeed a marvel that the death rate among the Mexicans in Mason City is not much higher, considering the kinds of foods which form the diet for these newcomers. Their main foods are pancakes, beans, corn, and garlic. While pancakes and beans are good foods, they are not particularly suitable as a steady diet three times a day. Corn is, fortunately, one of their most valuable foods. It is from the corn that they receive in large measure the necessary calories to enable them to withstand our cold northern winters.

Since it is almost impossible to reach the mothers in their own homes and to teach them how to cook American foods, particular stress is being laid in the public schools on teaching the girls how to prepare our most common dishes. The Y. W. C. A. of Mason City is taking upon itself a portion of this task and gives extra-curricular instruction in cooking.

Although a great deal has been done to teach the Mexicans concerning the preparations of wholesome meals, it seems that only a bare beginning has been made, for the health of this group is one of the city's greatest problems.

THE MEXICANS' RELATIONS TO ORGANIZED CHARITY

One does not have to spend much time investigating the Mexican problem in Mason City before he becomes firmly convinced that there is need for charity work among them. The strange fact is, however, that the Mexicans do not ask the several charity organizations of the city for aid. They aim, rather, to live as best they can and help one another whenever it is possible.

Taking it for granted that certain Mexicans do need aid in obtaining the bare necessities of life, the question then arises, "Who should see that they obtain this needed aid?" The city charity organizations demur, for they feel that the companies that bring the Mexicans to the city to work in their employ are directly responsible for their welfare. But in case these companies can not, or do not assist their employees, who then is to assume the responsibility? The several factories and business organizations of Mason City frequently find it necessary to "lay off" their Mexican employees, and thus throw out of employment fathers who have large families dependent upon them. Only in rare cases has a Mexican father been able to save enough money to tide the family over the period of unemployment, and either the family must starve, or assistance must be given them.

To a large extent the Beet Sugar Company does look after its Mexican employees over the winter by allowing them to charge their groceries at certain stores, with the understanding that the groceries shall be paid for out of their wages during the next growing season. This system, however, gives the Mexican little or no chance to get ahead of his expenses and to save any money.

As a matter of fact, although the Mexicans do not ask for charity, they do receive it in a considerable degree from the various schools, churches, and other philanthropic

organizations of the city. If it were not for these donations during periods of stress, many Mexicans would die from lack of food, fuel, and clothing. The Methodist Episcopal Church of Mason City has been doing most commendable work among the Mexicans. During the past year members of this church conducted sewing classes among this group, showing them how to make many useful and lovely Christmas gifts, and found that their efforts were most gratefully appreciated. At Christmas time, a Christmas party is given for these newcomers by the High School Epworth League. As this party has become an annual event the Mexicans look forward to it with great pleasure, and on the evening of the event, nearly fifty fathers and mothers will be present with their children. The first thing on the program is, of course, the arrival of Santa Claus and the distribution of the gifts which are hung on the tree. Then come various games into which both young and old enter with a zest. Needless to say, it is with considerable reluctance that these Mexicans leave the party, well knowing that they will probably not have so good a time again for another year.

MEXICAN CHURCH AFFILIATIONS AND FUNERALS

The major portion of the Mexicans who come to Mason City to live are, of course, Roman Catholics. A considerable group, however, have joined the Methodist Church and the Christian Church — there being an average attendance at the Methodist Church of about forty Mexicans. The Mexican members of the Methodist Church hold their religious services in the church building on Sunday afternoon, and the services are, to a large extent, conducted in Spanish. Besides the regular religious services, the Methodist Church has assisted in developing a Mexican dramatic society which has produced several plays in Spanish. The

plays are religious in subject and are based on Bible stories.

Mexican funerals are conducted in much the same way as those of our native born citizens. A notable exception, however, is the fact that the men and women ride to the cemetery in separate cars. The funeral sermon is preached by having a sentence spoken in English and then repeated in Spanish. It is indeed strange to find that no tears are shed by anyone during the burial service, for the Mexicans are ordinarily supposed to be very emotional. Before the funeral party leaves the cemetery a photographer takes a picture of the grave with the entire company gathered about it. Then the party sets forth again, the men and women once more riding in different cars. The men, however, often stop at a pool hall on the way while the women and children continue to their homes.

MEXICAN RECREATIONS

Recreation plays practically no part in the life of the Mexicans in Mason City, except in a small way among the men. The greater portion of the leisure time of the men is spent in idleness. The majority of them can not read English, and perhaps not even Spanish. The Mexican worker can not ride about in a fine car, play golf, attend luncheon clubs, or enjoy a multitude of other comforts or luxuries of life, for he has not the money necessary to enable him to do these things. Apparently the few things left for him to do are to occupy his spare time in drinking, playing cards, attending cheap shows, and occasionally engaging in a fist fight or a gun duel.

Due to the lack of sufficient funds, Mexican dances are comparatively rare in Mason City. Although there are many national holidays in Mexico, only a few of them are celebrated to any extent in Iowa. The fifth of May is a great national holiday in Mexico, and in Mason City it is

often celebrated by a dance. The Mexicans in Mason City have a most enjoyable time at their old fashioned dances, for a true Spanish dance, well performed, is a thing of beauty. One of the most common recreations of the Mexicans is attendance at the moving picture shows. As they can not afford to pay a high admission price, they attend the cheaper shows in the city. There they often see pictures which give a distorted view of American life.

The children, of course, get considerable enjoyment out of organized play at school, but a Mexican mother finds little opportunity for recreation. She marries young, is burdened with a large family, and in addition has little in the way of supplies or money. Usually she can not go anywhere unless she takes all of her children with her, and by the time she washes and dresses several children, takes them out with her, watches constantly over them while away from home, and sees to it that they all reach home safely, she is completely tired out. But even if a mother is willing to go to all of this work in order to take her children out for an afternoon of pleasure, in all probability she will not be able to secure permission of her husband to leave the house, due to the belief of the Mexican husband that his wife's place is in the home. The Mexican mother really has a very dull life with little to stimulate or interest her.

THE MEXICANS' CONTACT WITH MEXICO

Anyone who has stood for some minutes in the lobby of the Mason City post office is well aware that the Mexican keeps in rather close touch with his homeland, for at practically any hour of the day, from one to half a dozen Mexicans may be seen standing in the lobby reading letters which they have just received. A great many Mexicans come to the United States with the intention of saving enough money to enable them to return to Mexico sometime

to live in comfort. Unfortunately, the majority of these people do not receive sufficient wages to enable them to save any large amount of money. A few Mexicans, however, send money back home. The result of this practice is well illustrated by the case of a Mexican who was killed in Mason City. It was discovered after his death that he did not have enough money to pay for sending his body back to Mexico, although he had been sending money home to Mexico regularly.

Although the practice of sending money back to Mexico is undesirable, the practice will continue until the Mexican looks upon Mason City as his permanent home. No one will willingly spend his money to improve his surroundings in a community which he expects to leave in a short time. Until the Mexican can be made to feel that Mason City wants him, and is willing to help him in all possible ways to maintain his residence here, he will invariably continue to maintain as close relations with his people in Mexico as possible.

MEXICANS AS CUSTOMERS

Opinion seems to be divided among the merchants of Mason City as to the desirability of Mexicans as customers. Some storekeepers complain that the Mexicans are particularly prone to shoplift, so that the floorwalkers must be constantly on the alert. These suspicions, however, are not entirely fair to the Mexicans, for many native born Americans are also guilty of shoplifting. On the other hand, Mexicans are considered by the merchants as very good spenders, for they never complain of prices and quantities. They are very pleasant to wait upon, and are easy to satisfy. On the whole they buy the cheaper grades of goods in order to make their scant supply of money go as far as possible. The Mexicans seem to prefer the brightest and most gaudy things to be purchased. They are steady

patrons of the toy counter, and never is one of their children slighted. Jewelry of the cheapest kind — rings, beads, and bracelets — is purchased in large quantities. The Mexican women buy many bright flowers for their coats and hats, and always without regard to color combinations.

Although the Mexicans buy the cheapest kinds of goods, they have little left for the purchasing of necessary home supplies as they seem to take more interest in their clothes than they do in their homes. They seldom buy curtains, fancy work, embroidery, or furniture of any kind.

MEXICANS AS VIOLATORS OF THE LAWS

Prohibition law violations bring Mexicans of Mason City most frequently into court. Coming as they do from a country where there are no strict prohibition laws, and being unable to understand our laws or ignorant of them, it is not surprising that many Mexicans are arrested for bootlegging or intoxication. As the Mexicans have little money, they are fined a small amount, lectured by the judge, or committed to jail. The Mexicans, however, are not alone at fault in this matter, for it is folly to argue that they make all of their own liquor or import it from Mexico. Somewhere there is often a "middle-man" who possesses the requisite brains to keep himself out of the clutches of the law, while allowing his victims to become enmeshed in its toils.

NATURALIZATION AND AMERICANIZATION OF THE MEXICANS

In the final analysis, the whole Mexican question resolves itself into the problem of immigration restriction or of naturalizing and Americanizing those received. Mention has already been made concerning the reasons why the Mexicans come to Mason City, and these reasons affect in a large degree the ease or difficulty with which these people may be

made into useful citizens. There is, at present, practically no restriction on the number of Mexican immigrants.

Much propaganda is spread throughout Mexico concerning the golden opportunities for work in this country. Large corporations send their agents into Mexico who describe to the people the ideal conditions in the United States, promising them good homes, good food, and high wages. Naturally, many Mexicans are anxious to come here. They are not aware, of course, that it costs much more to live in northern Iowa than it does in their native land. They are not aware that what seems to them to be a high wage, is in reality a very low wage when purchasing power is taken into consideration. The result is that when they arrive and find conditions as they are, they feel that they have been deceived and are full of resentment toward the United States.

For the ordinary Mexican who has never voted in his life, and has had no voice in determining the policy of government in Mexico, our system of government is a confused muddle. The United States has always been represented to the incoming Mexican as the "land of the free and the home of the brave". The natural result of this understanding is that many mistake liberty for license and seek to live as they lived in Mexico. One Mexican was overheard to remark, "We no have freedom — we have do what law say, do what Americans say, — we no can do what we like."

Mention has been made of the language difficulty which retards the process of naturalization. But even more important is the above-mentioned fact that many Mexicans feel resentful toward the United States and therefore have no desire to become naturalized. They do not see wherein they will be benefited by becoming American citizens. As a result of this lack of interest only a few of the Mexicans in Mason City have become American citizens.

To a certain degree some citizens of Mason City have interested themselves in the work of Americanization. Special Americanization classes have been held at the Methodist Church and the Grant Grade School which have done valuable work in teaching the Mexicans English and the principles of good citizenship. But it soon became evident as mentioned above, that although many men and boys were interested in learning our language and in studying our system of laws, their interest did not extend to the point where they wanted to become naturalized. In brief, the Mexicans do not become Americanized quickly.

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THE ADMINISTRATIVE FUNCTIONS OF THE DEPARTMENT OF PUBLIC INSTRUCTION

[This is the first installment of an article on the administrative functions of the Department of Public Instruction in Iowa by H. C. Cook. The final installment will appear in the July number of this magazine.—THE EDITOR]

I

DEVELOPMENT OF THE DEPARTMENT OF PUBLIC INSTRUCTION

A common feature of our American State school systems is the election or appointment of a chief State school official. This office is a relatively recent addition to the educational machinery in American government. The creation of this office seems to have been taken from the Prussian system of government which was founded upon the principle "that every State needs a separate officer of Public Instruction, and that there should be nothing to divert the attention of that officer who has the general supervision of the peoples' education". New York provided for this official in 1812, by appointing a "Superintendent of common schools". After nine years, however, New York abolished the office, and no such office existed there until 1854, when the office of Superintendent of Public Instruction was created. The Superintendent of Public Instruction was succeeded by an appointed Commission of Education in 1904. The first State to maintain continuously such a State official was Michigan, which created the office of Superintendent of Common Schools in 1829. In 1836 the title was changed to Superintendent of Public Instruction, and as such has remained to the present time. Iowa was the twelfth State to establish the office, creating it in 1841. The eleven States which

established this office previous to Iowa were: (1) New York, 1812; (2) Maryland, 1826; (3) Michigan, 1829; (4) Louisiana, 1833; (5) Pennsylvania, 1834; (6) Tennessee, 1836; (7) Ohio, 1837; (8) Massachusetts, 1837; (9) Kentucky, 1838; (10) Connecticut, 1838; (11) Missouri, 1839. Iowa was the fourth State to name the officer, "Superintendent of Public Instruction", being preceded by Maryland, Michigan, and Tennessee, respectively.¹

Education had its beginnings in what later became the Territory of Iowa as early as 1830. From October to December of that year Berryman Jennings taught the first school in what is now Galland, in Lee County.² The first schools were for the most part private institutions, conducted by some person who undertook the instruction of such pupils as were sent to his school, receiving his compensation usually in kind from the parents and others who believed sufficiently in schools to subscribe to their support. Though the people were under the administration of the Michigan Territorial law of June 28, 1834, they took little heed of the school laws. Schoolhouses were built and schools were conducted, but were apparently without supervision. No apparent change was made in the status of schools in the Iowa country from July 3, 1836, when it was attached to the Wisconsin Territory, to July 4, 1838, when the Iowa Territorial government was organized. Following the organization of Iowa Territory successive changes took place in school administration.³

¹ *Biennial Report of the Superintendent of Public Instruction*, 1850, p. 55; Cubberley's *Public School Administration*, pp. 27-29; Reeder's *The Chief State School Official* (Bureau of Education, Bulletin No. 5, 1924), pp. 10, 17, 18; Kalbach and Neal's *Organization of State Departments of Education* (Bureau of Education, Bulletin No. 46, 1920), p. 23.

² *Iowa Normal Monthly*, Vol. XII, pp. 267-270.

³ *Iowa Official Register*, 1923-1924, p. 17; Organic Law of Wisconsin, Organic Law of Iowa, as found in the *Code of 1851*, pp. 516, 524; *Iowa Normal*

The history of Iowa school administration has been one of development in both local and central authorities. The chief powers of school government are, and have always been, in the hands of local school officers. The central authority has, however, exercised a great influence and that influence has been exercised through channels of effective control. There have been significant additions of power to the central school administration in the State. These gains in authority have not usually been at the expense of the local agencies, but have come rather from the development of new functions. When new functions have been suggested to the legislature the tendency has been for that body to confer them upon the State rather than upon the local agencies. This tendency is revealed clearly in later sections of this study.

The relation of the central authority to the schools began soon after the organization of the Territorial government. Interest was shown in the schools from the first by the central government. Governor Lucas, in addressing the First Legislative Assembly of Iowa Territory, sought to promote the interests of the schools by encouraging adoption of a system of general education. He said, "There is no subject to which I wish to call your attention more emphatically, than the subject of establishing, at the commencement of our political existence, a well digested system of common schools". This recommendation seems to have been somewhat in advance of the times. It appears that the avowed purpose which Governor Lucas had in mind was to encourage immigration to Iowa. He is alleged to have said, "it was still necessary to inaugurate a system, and upon a proper (township) basis, and *especially so as to inform our eastern friends* that we meant to start out right

Monthly, Vol. XII, pp. 267-270; Aurner's *History of Education in Iowa*, Vol. I, pp. 3-5.

and build up a good system as fast as the population and wealth of the territory would warrant."⁴

Though there was apparently little need of a school system, the Legislative Assembly enacted an elaborate law for a system of school officers and school organization. The law enacted at the first session made no provision for central or county control. It instituted a system of local decentralization. Districts were organized. At the head of the district organization was a board of trustees, consisting of three members who were to superintend the schools within their respective districts, to examine and employ teachers, and to lease all land belonging to the district. Although there was little or no limit to their authority, they were required to report to the county commissioners.⁵

The law of 1838 was not very satisfactory. On January 3, 1839, a resolution was adopted in the House of Representatives authorizing the appointment of a special committee to collect information relative to the amount and mode of instruction and the cost and plan of organization of a system of public schools. Although it does not appear that the committee as a whole ever submitted a formal report, the fact that its chairman, Governor Lucas, made a definite recommendation at the opening of the next Legislative Assembly in November, 1839, and that the bill proposed later received such unanimous approval seems to warrant the conclusion that careful consideration had been given to the instructions of the legislature. Referring to the subject in his second annual message, Governor Lucas observed that "the act passed at the last session, is too limited in its provisions to serve as a foundation for a well

⁴ Shambaugh's *The Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 78; Macy's *Institutional Beginnings in a Western State* in *Johns Hopkins University Studies in Historical and Political Science*, Vol. II, pp. 366, 367.

⁵ *Laws of the Territory of Iowa, 1838-1839*, p. 181.

regulated system. I would therefore, recommend its revision, and call your attention to the school law of the State of Michigan, as worthy your attention, and from which useful information may be obtained."⁶

Acting as it appears in accordance with the Governor's recommendations, the Legislative Assembly of 1839-1840 took over the Michigan School Law of 1838, adopting it section by section. So closely did the Legislative Assembly follow the Michigan law that in many instances the title, Superintendent of Public Instruction, appeared in the Iowa law as adopted. In Michigan this officer had been provided for in the Constitution, but no provision had been made for such official in the government of the Territory of Iowa. Yet, with the adoption of the new law, the Superintendent of Public Instruction was mentioned in several instances.⁷

By the act of January 16, 1840, a complete change was brought about. The establishment of districts became a township function, and township school inspectors were provided for to whom were transferred several of the more important functions previously enjoyed by the district school directors. The township inspectors had such administrative and supervisory functions to perform as organizing districts, handling school money, apportioning school and library money, examining teachers, and visiting and supervising schools. The powers vested in the township school inspectors were, in part, original to the office, and in a slight measure conferred at the expense of the county commissioners, and in a large measure at the expense of the school districts and the school directors. The district officials were: a moderator, a director, and an assessor. These officials constituted the district board. Each of these

⁶ *Journal of the House of Representatives, 1838-1839*, p. 171; Shambaugh's *The Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 99, 100.

⁷ Aurner's *History of Education in Iowa*, Vol. II, Appendix A.

officials had individual duties to perform, designated in each case by the title of the individual office. As a board they were to levy assessments, equalize assessments, provide a school house and site, and employ teachers.⁸

The creation of the office of a township school inspector was of considerable significance for it meant that the school system was not destined to local autonomy, but that a way was to be left open for what might develop into a degree either of semi-local or State administration. This eventually led to the former, that of county administration. From 1840 to 1847 the township inspector was permitted to function more or less as an autocrat in his field. He was under no supervision save that of the Territorial legislature.⁹

It was not until January 13, 1841, that the office of Superintendent of Public Instruction was created in Iowa. It was then provided that the Superintendent of Public Instruction should be appointed by the Governor "by and with the advice and consent of the Council". His term of office was made three years and his salary two hundred and fifty dollars per year. The powers of the Superintendent of Public Instruction were few. The principal function assigned to him appears to have been the care and disposition of the school fund, a fund that was practically non-existent at that time. The Superintendent of Public Instruction was also to issue instructions for the organization and government of the public schools, prepare forms for school officials and report to the Legislative Assembly. In the hands of the first Superintendent of Public Instruction these weak powers were used to advantage and the schools began to make progress.¹⁰

⁸ *Laws of the Territory of Iowa, 1839-1840, Ch. 73.*

⁹ *Laws of the Territory of Iowa, 1839-1840, Ch. 73; Laws of Iowa, 1846-1847, Ch. 99, Secs. 8 ff.*

¹⁰ *Laws of the Territory of Iowa, 1840-1841, Ch. 46; Report of the Superin-*

The work needed at this time was organization of the school districts and instruction in and interpretation of the school laws. In many places school districts had failed of organization, in many townships school inspectors had not been elected, all because the law was not known to exist, or if known, not understood. Moreover, the district officers, from want of proper means of knowing its objects, failed to make their reports, upon which all others were to be founded. All this had a significant effect upon the permanence of the office of Superintendent of Public Instruction.

Though there was considerable optimism felt for the system of public instruction, some friends of the system felt anxious about the office of Superintendent of Public Instruction. Assistance was desired for the remedying of the defects in the carrying to completion school organization, and authority was asked to carry the work forward. A committee in the Council urgently advocated a continuation of at least the existing organization, but the House Committee on Public Instruction deemed the office of Superintendent of Public Instruction "unnecessary" and recommended that it should be abolished. From the report it would appear that the salary of two hundred and fifty dollars per year paid the Superintendent of Public Instruction was deemed an extravagance. The office was thereupon abolished.¹¹

Following the session of 1841-1842 the clerks of the board of county commissioners in the several organized counties were required to make annual reports of data filed with

tendent of Public Instruction, as found in the Journal of the Council, 1841-1842, pp. 278-288.

¹¹ *Report of the Superintendent of Public Instruction, 1841-1842, as found in the Journal of the Council, 1841-1842, p. 81; Journal of the Council, 1841-1842, Appendix, pp. 291-293; Journal of the House of Representatives, 1841-1842, pp. 132, 280; Shambaugh's The Messages and Proclamations of the Governors of Iowa, Vol. I, p. 256.*

them by the township school inspectors to the Legislative Assembly. With no responsible central authority to whom these county officers were accountable, it was quite certain that information relative to general school administration and supervision would be neglected. Such was the status of school legislation relative to central administration up to the establishment of the State of Iowa.¹²

The effect of the adoption of such policy was not so much that of decentralization as it was of demoralization. The greatest harm that resulted was the check it gave to school organization. At a time when every effort should have been made to direct the work of organization, the central school official, who was to act as director of organization, was removed. The results of this were felt throughout the entire school system, and in message after message the common complaint of the Governors was that, because of inattention of school officers, the permissive character of the laws, or the failure to understand them, it was "mortifying to see how little interest the important subject of education" excited. The later Territorial Governors, apparently giving up in disgust, failed to mention the subject of education in their messages. The legislature, however, began to acquire interest in the matter, and by the time the State was being organized the framers of the Constitution were willing to make provision for the State superintendency.¹³

With the adoption of the Constitution of 1846 and the admission of Iowa into the Union, the office of State Superin-

¹² *Laws of the Territory of Iowa, 1841-1842*, p. 93.

¹³ Shambaugh's *The Messages and Proclamations of the Governors of Iowa*, Vol. I, pp. 256, 266, 275; *Journal of the House of Representatives, 1845*, pp. 23, 57, 71, 96, 149, 157, 188, 194, 197, 200, 208, 216; *Journal of the Convention for the Formation of a Constitution for the State of Iowa, 1844*, pp. 27, 164, 166, 168, 200; *Journal of the Convention for the Formation of a Constitution for the State of Iowa, 1846*, pp. xv, 30, 46, 49, 50, 51.

tendent of Public Instruction was reestablished. This time it was by provision of the fundamental law stating that "The General Assembly shall provide for the election, by the people, of a Superintendent of Public Instruction, who shall hold his office for three years, and whose duties shall be prescribed by law". The policies in education and the handling of school lands were to be determined by the legislature, but practically all administration of these policies was to be left with the Superintendent of Public Instruction. It seems very probable that the framers of the Constitution of 1846 intended the Superintendent of Public Instruction to function primarily in the field of fundamental educational principles rather than to function as a financial agent. The Constitution of 1846 looked toward a general supervision not only of primary schools but of the State University, of colleges, high schools, academies, and all other schools, public and private. The principle upon which this single function was based was that the State needed a separate officer of public instruction and there should be nothing to divert his attention. His whole time should be given over to the educational interests of the State. The field laid out was conceived by the framers of the Constitution to be "sufficiently responsible and arduous; sufficiently vast and comprehensive in all its bearings to engage every moment of his time and consideration; to employ the entire thought and labor of one man, in devising the means" of perfecting the educational system of the State.¹⁴

The First General Assembly of the State of Iowa convened at Iowa City, on November 30, 1846. Its first act, approved on December 14th, was to provide for the school fund.

¹⁴ *Journal of the Convention for the Formation of a Constitution for the State of Iowa, 1846*, p. xv; Shambaugh's *Fragments of the Debates of the Iowa Constitutional Conventions of 1844 and 1846*, pp. 139, 140; *Biennial Report of the Superintendent of Public Instruction, 1850*, pp. 55-57.

Another act, entitled "Common Schools", approved on January 24, 1847, declared in its title that it was to be supplemental and amendatory to that of January 16, 1840, and provided in detail for the organization of the office of Superintendent of Public Instruction and for a new body of school officers called county school fund commissioners. It abolished the township board of three inspectors, substituting therefor one inspector, and a district board of directors. The board of directors was required to provide schools, elect teachers, provide rules and regulations for the government of the schools, and take the school census. The inspector was financial agent, organizer, examiner, and supervisor for the schools within his township. These manifold duties were to be performed without any guiding legislation. Each inspector was somewhat of a law unto himself. He was required to report to the county school fund commissioner. The county school fund commissioner was provided primarily for the handling and management of local school funds and school lands. And until the discontinuance of the office of school inspector in 1849, when the functions of that office were in a large measure conferred upon him, the county school fund commissioner was little more than a financial administrator. The financial functions of the Superintendent of Public Instruction were quite as pronounced as those of the county school fund commissioner. So he might well have been called State school fund commissioner.

Theoretically the relation of the school fund commissioner and that of the Superintendent of Public Instruction was that of agent and director. The act of January 24, 1847, in theory at least, provided for a centralized school system. Practically, however, the new statute confused the duties of the various school officials in a manner not at all conducive to the rapid development of a work-

ing school system.¹⁵ So pronounced was the confusion of the duties of the Superintendent of Public Instruction and those of the school fund commissioners that legislative interference became imperative.¹⁶

Apparently the legislature had deserted the cause for which the office of Superintendent of Public Instruction was established. The Constitutional Convention of 1846 had sought primarily to establish a State educational officer, while the legislature provided largely for a financial officer. The successive Superintendents of Public Instruction protested against the system of administering the school funds, and against the continuance of their financial functions, as giving them little time for proper attention to other school duties. With the enactment of a new school law, on January 15, 1849, the duties of the Superintendent of Public Instruction virtually swamped the office. At that time his duties were as follows: to receive and file all papers, reports, and public documents; to supervise and see that the school system was put into operation as early as practicable; to visit every county at least once during his term of office; to confer with school officers and give advice to them; to examine and recommend text-books; to prepare, have printed, and transmit suitable forms for reports; to make all rules and regulations for carrying the school law into effect; to conduct the official correspondence; to deliver

¹⁵ *Laws of Iowa*, 1846-1847, Chs. 99, 111, 1848-1849, Ch. 80, Secs. 43-75.

¹⁶ As a single illustration, the Superintendent of Public Instruction was designated as the proper authority for the receipt of the five per cent school fund, and though he was enjoined to apportion it to the counties immediately, and not to allow it to remain in his hands, he did not always do this. The endeavor on the part of one Superintendent of Public Instruction to loan the fund for his own benefit was perhaps instrumental in putting an end to the system. Also, in some cases the proceeds of the county school taxes had been loaned. To correct the results of this misunderstanding the Superintendent of Public Instruction was empowered in all such cases to order that the moneys be refunded.—*Laws of Iowa*, 1848-1849, Ch. 59.

a public lecture to the teachers and people of each school district; to organize the university and normal schools, and control the branch of the university at Dubuque; to perform generally such duties as may tend to advance the interests of education, and to make a report to the General Assembly at each regular session. These were intended as school functions. They were performed without the aid of a deputy and perhaps with little clerical assistance. Furthermore the Superintendent of Public Instruction must make selection and sale of school lands, apportion the school fund, make adjustment of land titles, perform duties in the investment of school funds, and make periodical examination of the accounts of the school fund commissioners.¹⁷

This situation in school legislation did not go unchallenged. Not only were the school officials dissatisfied with the school law, but the Governor, also, and the legislature as well were highly dissatisfied and sought to get the school law simplified and based solely on the fundamentals of education.¹⁸

¹⁷ *Laws of Iowa*, 1846-1847, Ch. 99; Constitution of Iowa, 1846, Art. X, Sec. 1, as found in *Laws of Iowa*, 1846; *Laws of Iowa*, 1848-1849, Chs. 59, 70, 78, 80, 115, 117, 121, 123; *Biennial Report of the Superintendent of Public Instruction*, 1850, p. 55; *Journal of the Senate*, 1849, p. 324.

¹⁸ Referring to this matter of revision of the school law Governor Grimes, in addressing the extra session of the General Assembly, on July 3, 1856, observed that it "is to be regretted that the joint resolutions, passed by the House of Representatives, at each of its two last sessions . . . failed to receive the approval of the Senate. No one, who gives the subject a moment's consideration, can doubt the necessity for a thorough revision of the whole subject. With a large and constantly increasing school fund, our school system is without unity and efficiency, and is, in my conviction, discreditable to the State. It reaches so many interests, it runs into so many details, and it is so important in its influences, that it seems to me impossible for the General Assembly to perfect the necessary amendments and reduce them to a harmonious system, in the limited period of fifty days — and I, therefore, recommend that three competent persons be selected to revise all the laws on the subject, and submit their revision to the next General Assembly." In accordance with an act passed on July 14, 1856, meeting this request, Governor

Out of this dissatisfaction came the most constructive school legislation in the history of school administration in Iowa. In 1856, a "Commission for the Revision of the School Laws" made a report pointing out many suggestions for betterment. This Commission in taking up the problem of organizing an adequate school system for the State observed: "Here, for the first time, a great State . . . demands a system of public instruction adequate to the full development of its great physical resources, and of the intellect and moral power of its people. Such a system can only result from organization so perfectly constituted as never to conflict with each other; so harmonious in action as ever to furnish mutual aids; and so entire and complete as that one spirit shall pervade the whole." The Commissioners based their report for their proposed school system chiefly on the following principles: "(1) That every youth in Iowa is entitled to receive an education in the elements of knowledge; that every one desiring it is entitled to have facilities afforded for a further progress; and that those originally endowed with large capacities should be stimulated to improve them by the cheering prospect of having their education furnished as a reward of their merit, scholarship, and good behavior, provided that the State might thereafter secure to itself the benefit of their services. (2) That education, to be successful, must become a distinct and separate pursuit and business, having its own laws and principles; its own means and agencies; its own pervading spirit. That the human mind, although a living, spiritual organization, possessing inherent active tendencies, re-

Grimes appointed Horace Mann, of Ohio; Amos Dean, President of the State University of Iowa; and F. E. Bissell, of Dubuque, to serve on such committee.—Shambaugh's *The Messages and Proclamations of the Governors of Iowa*, Vol. II, pp. 19, 20; *Report of the Commissioners of Revision of the School Laws*, 1856, pp. 3, 12; Aurner's *History of Education in Iowa*, Vol. I, p. 30.

quires, nevertheless, to be tutored and trained in accordance with method and system, to produce the full and complete development of all its powers and capacities. (3) That as property, material wealth, owes its existence to mind, it ought, in return, to furnish adequate means by which the intellect and moral power of the State can be brought out and developed in all their varieties of application. (4) That to complete a perfect system of education, three elements are necessary. These are the organizing, the financial, and the educational. The first two mentioned are only important as they affect the last, and the first is wholly expended in the advancement of the other two."

The Commissioners were desirous "of making a liberal provision for adequate common school instruction." They "organized the district, the county, the State, and the special organizations." The most salient recommendations made were those for a county superintendent of schools, for free schools, and a township district system. The first two of these measures were realized within two years. The township district system was not adopted, as recommended, but was modified, making the original school districts sub-districts of the larger township unit. A single director was elected in each of the sub-districts and these constituted the township board.¹⁹

With the adoption of the Constitution of 1857 a reorganization of the school system resulted. The Constitution of 1857 provided that "the financial agents of the school fund shall be the same that, by law, receive and control the State and County revenue, for other civil purposes, under such regulations as may be provided by law." Thus the educational function was permanently separated from the financial administration of schools. Furthermore the educa-

¹⁹ *Report of the Commissioners of the School Laws, 1856; Laws of Iowa, 1858, Ch. 52.*

tional interests were to undergo another change. A new organ of government, called the State Board of Education, was created. This body was a separate and distinct legislature for educational matters. The State Board of Education took over the educational functions of the State, established the office of Secretary of the Board of Education, clothed him with the functions performed by the State Superintendent of Public Instruction, and abolished the office of Superintendent of Public Instruction.²⁰

The State Board of Education was composed of the Lieutenant Governor, who was the presiding officer, one member elected from each of the eleven existing judicial districts in the State, and the Governor who was an *ex officio* member.²¹ The sessions of the Board of Education were to be held annually and were not to continue longer than twenty days. The Governor was authorized to call special sessions. The Board of Education was given "full power and authority to legislate and make all needful rules and regulations in relation to Common Schools, and other educational institutions, that are instituted, to receive aid from the School or University fund of this State; but all acts, rules, and regulations of said Board may be altered, amended, or repealed by the General Assembly; and when so altered, amended, or repealed they shall not be re-en-

²⁰ Constitution of Iowa, 1857, Art. IX; *Acts, Resolutions and Forms Adopted by the State Board of Education*, First Session, 1858, Act No. 9, as found in the *Journal of the Board of Education*.

²¹ Constitution of Iowa, 1857, Art. IX, Sec. 1. In the original report made to the Convention of 1857, in which the board was projected, provision was made for a Chancellor "who should have jurisdiction over all questions that may arise under the laws, rules, and regulations of the board, and from all decisions and judgments of said Chancellor, an appeal may be taken to the Supreme Court". But on February 27, 1857, motion was made by Mr. Hall of the Committee on Education and School Lands to strike out the section providing for the Chancellor. The motion was put and agreed to.—*The Debates of the Constitutional Convention of the State of Iowa*, Vol. I, p. 78, Vol. II, p. 837.

acted by the Board of Education." The Board did not, however, have the power "to levy taxes, or make appropriations of money."²²

The Board of Education was experimental and temporary.²³ So a way was left open for retreat. It was provided that after 1863 the General Assembly should have the power to abolish or reorganize the Board of Education, and "provide for the educational interest of the State in any other manner that to them shall seem best and proper."²⁴

The purpose of establishing the Board of Education, as stated by J. C. Hall of the Committee on Education and School Lands in presenting the Committee's majority report, was to take education entirely out of the power of the General Assembly, and to put it "in the hands of another body, who will better represent the interests of the people". Furthermore, he said, "I am for putting it into the hands of a body that shall have no control over the funds, and which cannot possibly be influenced by party considerations. . . . and their whole and individual attention will be given to the benefit and improvement of the educational interests of the State."²⁵

Though the ambitions and efforts of the framers of the Constitution were praiseworthy, the results of their labors were not to be lasting. The Board of Education was hardly organized before conflicts arose between that organization and the General Assembly. The Board of Education en-

²² Constitution of Iowa, 1857, Art. IX.

²³ It was recognized by members of the Constitutional Convention that imagination or pure reason, and not precedents were the fabrics from which the new creation was made, and that the experiment might fail. One of the members of the Convention referred to it as a "new-fangled scheme".— *The Debates of the Constitutional Convention of the State of Iowa*, 1857, Vol. II, p. 943.

²⁴ Constitution of Iowa, 1857, Art. IX.

²⁵ *The Debates of the Constitutional Convention of the State of Iowa*, 1857, Vol. II, p. 751.

joyed administrative centralization to the limit. It exercised judicial, executive, and legislative powers. The fact that the Board of Education exercised judicial powers subjected it to the ire of the courts should it trespass upon their jurisdiction. And the executive and legislative powers were both subservient to those of the legislature, for that body could overrule, amend, or repeal the acts of the Board of Education. Moreover, the Board of Education was dependent upon the support of the legislature for appropriations and for support by taxation.

The legislative power of the Board of Education was soon exercised. In 1858 it provided a new school law which took the place of the unconstitutional act of the Seventh General Assembly. Features pertinent to school administration were the provision for the hearing of cases of appeal, and the provision for the State Board of Educational Examiners. Both of these were later destined to be of considerable interest in subsequent school administration.

The Board of Education was not itself an executive body, but through its Secretary the Board might execute its will, for according to provision of the Constitution this officer was to "perform such duties as may be imposed upon him by the Board, and laws of the State." Furthermore, the Board gave the Secretary a large ordinance making power by providing that "The Secretary of the Board of Education may make all needful rules and regulations to give efficiency" to the school law. It was also provided that he should make regulations fixing the powers and duties of any subordinate officer or board, when their duties were not sufficiently defined.²⁶

The Board of Education conferred judicial authority

²⁶ *Educational Laws of the State of Iowa*, passed by the Board of Education, December 24, 1859, Pts. VIII, XIII, XIV, as found in the *Journal of the Board of Education*; Constitution of Iowa, 1857, Art. IX.

upon its executive agent by providing that "An appeal may be taken from the decision of the County Superintendent to the Secretary of the Board of Education And the decision, when made, shall be final." Disputes involving "judgment for money" were, however, left to the courts.²⁷

With the exercise of such a broad scope of powers as have been briefly indicated, and with the Board of Education almost entirely dependent upon the legislature for approval, it is not difficult to understand that friction and discord with the other departments of the government might result from the Board's actions. Such was the case, for the General Assembly was especially jealous of the Board of Education. Neither was there always complete harmony among the members of the Board itself. Furthermore, many believed that the Board was no longer needed and should be abolished.²⁸

By an act approved on March 19, 1864, the Tenth General Assembly abolished the Board of Education and established the office of Superintendent of Public Instruction. The chief functions given to the Superintendent of Public Instruction were: the keeping of records; general supervision of all county superintendents, and all the common schools of the State; recommendation of text-books; publication and distribution of the school law and school blanks; hearing of appeals; giving of opinions; and reporting to the General Assembly.²⁹ The General Assembly had re-

²⁷ *Educational Laws of the State of Iowa*, passed by the Board of Education, December 24, 1859, Pt. XIII, as found in the *Journal of the Board of Education*.

²⁸ *Proceedings of the Pioneer Lawmakers' Association of Iowa*, 1898, p. 75; *Report of Thomas H. Benton*, pp. 3, 4, 7, in the *Iowa Legislative Documents*, 1864, Vol. I; Shambaugh's *The Messages and Proclamations of the Governors of Iowa*, Vol. III, pp. 7, 8.

²⁹ *Laws of Iowa*, 1864, Ch. 52.

gained the control of the schools and apparently was satisfied to allow them to care for themselves for a time. The intended development of the integrated township system was checked and local decentralization gained favor. The powers of the Superintendent of Public Instruction, though similar to those exercised by the Secretary of the Board of Education, were not commensurate with them.³⁰

On the whole, until the year 1870, the General Assembly appears to have been indifferent to matters of education. In that year a new interest began in education and since 1870 there has been a continuous growth in the county and State agencies administering education, especially the latter. The accessions of new powers by the State Superintendent of Public Instruction have kept pace with those of the other State agencies. Though the increase in the administrative factors has been great, it has not kept up with the growing needs of the Department of Public Instruction nor with the needs of education in general.

The most important accessions to the power of the Superintendent of Public Instruction during the period 1870 to 1929 which add greatly to his administrative control have been in the nature of financial powers. Thus the Superintendent of Public Instruction exercises control over standardized schools, mining camp schools, normal training high schools, and consolidated schools. A notable exception to the gaining of administrative control through the grant of financial powers is the recent (1927) grant to the Superintendent of Public Instruction of direction and supervision of junior colleges. The Superintendent of Public Instruction also exercises influence in Vocational Education Service and Rehabilitation Service provided by

³⁰ *Educational Laws of the State of Iowa*, passed by the Board of Education at its first and second sessions, Pts. VIII, XIII, XIV, as found in the *Journal of the Board of Education*; *Laws of Iowa*, 1864, Ch. 52.

the Smith-Hughes Act and the Industrial Rehabilitation Law, respectively. Other functions adding to his authority are the certification of teachers, making courses of study, meetings, and functions which he must exercise by virtue of his *ex officio* position in the various services.³¹ A great many accessions of authority have been brought to the Department of Public Instruction through the administration of State aids; State aid has led to inspection, inspection to supervision, and supervision to control.

II

ORGANIZATION OF THE DEPARTMENT OF PUBLIC INSTRUCTION

The administration of education is one of the most important functions performed by the State of Iowa. The administration of education in Iowa takes the form of supervision and control of the public schools of the State. This supervision and control of the public schools is delegated to the State Department of Public Instruction and the State Board of Education. As the head of the State Department of Public Instruction, the State Superintendent of Public Instruction has general supervision and control of mining camp schools, rural schools, graded schools, high schools, normal training schools, and junior colleges of the State. The private, parochial, and denominational schools of the State have no State supervision and control except legislative and judicial control.³²

The State Department of Public Instruction in Iowa is organized into a number of divisions and the work centers around these divisions and the problems of administering

³¹ *Code of 1927*, Chs. 190, 191, 192, 193, 194, 209, 222, Sec. 4267-b1.

³² *Code of 1927*, Secs. 3831, 3899, 3919, 4267, 4267-b1; Brindley and Zorbaugh's *Tax System of Iowa* (Bulletin No. 150, 1929, Iowa State College of Agriculture and Mechanic Arts).

and supervising them. These divisions are: (1) division of classification and inspection, including the classification and inspection of standard rural schools, consolidated schools, normal training schools, graded and high schools, mining camp schools, and public junior colleges; (2) division of examination and certification; (3) division of vocational education and rehabilitation; and (4) legal division.

While the work of the Department of Public Instruction is concerned principally with the public elementary schools, secondary schools, and junior colleges of the State, yet there are many functions performed by the Department not strictly concerned with these schools. Such is the work in connection with the certification of teachers; vocational education; rehabilitation service; and the legal work of the Department consisting in hearing appeals and rendering opinions.³³

The work of supervising rural schools, consolidated schools, normal training schools, graded and high schools, and mining camp schools is, in each case, under the immediate direction and supervision of an inspector. The junior colleges are under the personal inspection and supervision of the Superintendent of Public Instruction.³⁴

³³ *Biennial Report of the Superintendent of Public Instruction, 1926-1928*, pp. 3, 6, 8, 9-16, 20, 30; *Code of 1927*, Secs. 3838, 3839, 3852. The Thirty-eighth General Assembly provided for a Teachers' Placement Bureau with a director at the head whose functions consisted in enrolling teachers qualified to teach in the State of Iowa, and, upon request, furnishing information relative to teachers desiring positions, and also notices of vacancies. The Teachers' Placement Bureau circularized school boards and school officials so as to promote the efficiency of the Bureau; collected data for the Iowa Educational Directory each year; prepared, edited, and distributed the *Directory*. The Forty-second General Assembly, however, failed to provide for the Teachers' Placement Bureau in the appropriation for the Department of Public Instruction and the Bureau is not now (1929) functioning.—*Laws of Iowa, 1919*, Ch. 298, 1927, Ch. 275, p. 258; *Code of 1927*, Sec. 3833. Also see *Biennial Report of the Superintendent of Public Instruction, 1926-1928*, pp. 3, 6.

³⁴ *Biennial Report of the Superintendent of Public Instruction, 1926-1928*, pp. 3, 6, 10.

Some of the chief duties of these inspectors are as follows: (1) visiting the public schools of the State; (2) checking up the equipment of these schools; (3) examining their courses of study and their records; (4) preparing courses of study suited to the needs of these schools; (5) visiting the classroom work of the teachers employed there; (6) conferring with the superintendents and teachers; (7) providing standards; (8) issuing bulletins and manuals; (9) answering correspondence; (10) holding individual conferences with superintendents and members of the boards of education; (11) advising with and assisting school boards in maintaining the types of schools justified by local conditions; and (12) collecting information and compiling statistics.³⁵

The work of examination and certification of teachers can hardly be said to be a single united function. Furthermore, it is not exclusively the work of the Department of Public Instruction. Through the inspector of the normal training high schools the Superintendent of Public Instruction has charge of the normal training high school graduates desiring to teach. But the greater part of the work of examination and certification of teachers in Iowa, that of examination for and the granting of State and county certificates, is performed by the State Board of Educational Examiners. The Superintendent of Public Instruction is, however, president and executive officer of the Board of Educational Examiners. So the work of examination and certification is carried on largely in connection with the Department of Public Instruction and under the direction of the Superintendent of Public Instruction. In addition to this work of examination and certification of teachers, the Chief Clerk of the Department of Public Instruction

³⁵ *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, pp. 64, 65.

handles all the work of the department dealing with the administration of county examinations.³⁶

The work concerning vocational education and civilian rehabilitation is carried out under the direction of the Board for Vocational Education. The relation of this service to the Department of Public Instruction is both personal and functional. The Superintendent of Public Instruction is, by virtue of his office, chairman of the Board for Vocational Education and as such assists in administering the Civilian Rehabilitation Service. As chairman of this Board the Superintendent of Public Instruction, with the approval of the Board for Vocational Education, appoints such assistants as may be necessary to carry on the provisions of the Federal and State acts for vocational education and rehabilitation service. Also the reports of these services are made by the Director for Vocational Education through the Department of Public Instruction.³⁷

The Legal Division of the Department of Public Instruction.—The work of the legal division includes the hearing of appeals, the making of decisions thereon, and the giving of written advisory opinions to school officers on questions of law. The Deputy Superintendent of Public Instruction has charge of the work of the legal division, but the work of hearing appeals and making decisions must be handled by the Superintendent of Public Instruction personally. His deputy can neither represent him nor take his place.³⁸

³⁶ *Code of 1927*, Secs. 3832, 3858, 3861, 3863, 3910; *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, p. 31, 1926-1928, pp. 17-20.

³⁷ *Code of 1927*, Secs. 3852, 3853, 3854; *Outlines of Plans for Vocational Education and Civilian Rehabilitation in the State of Iowa, 1923-1927*, p. 3; *Biennial Report of the Superintendent of Public Instruction, 1926-1928*, pp. 20, 21.

³⁸ *Abrams v. Ervin*, 9 Iowa 87, 90; *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, pp. 40-46, 1926-1928, p. 6.

Professional Qualifications.—Iowa legislators prior to 1913 had no thought that the State Superintendent of Public Instruction ought to have special qualifications and training for the service he was to perform; professional qualifications were not required. The Iowa Educational Commission in 1908 recommended that the Superintendent of Public Instruction should be the holder of an “unlimited state certificate”. But it was largely due to the agitation of the Better Schools Commission that the Thirty-fifth General Assembly in 1913 provided that the Superintendent of Public Instruction should be “a graduate of an accredited university or college, or of a four year course above high school grade in an accredited normal school, and shall have had at least five years’ experience as a teacher or school superintendent.” The professional qualifications required at the present time are the same as those provided by the Thirty-fifth General Assembly.³⁹

Political Qualifications.—Legal qualifications for the office of Superintendent of Public Instruction have been required since the time of the first Territorial provision for the office. The Superintendent of Public Instruction at that time was required to give a bond of two thousand dollars. In the establishment of the office under the first State Constitution the bond was made twenty-five thousand dollars. The reason for such a large bond was no doubt due to the fact that the duties of the Superintendent of Public Instruction were largely financial. This bond requirement remained effective until the abolition of the office of Superintendent of Public Instruction in 1858. With the reestablishment of the office in 1864, the bond requirement was

³⁹ *Laws of Iowa*, 1913, Ch. 103; *Report of the Iowa Educational Commission*, 1908, p. 7; *Biennial Report of the Superintendent of Public Instruction*, 1912-1914, pp. 87-97; *Proceedings of the Fifty-eighth Annual Session of the Iowa State Teachers Association*, pp. 78-80.

lowered to two thousand dollars. This was probably due to the fact that almost all the financial responsibilities previously borne by the Superintendent of Public Instruction had been transferred to the State's financial officers. This bond requirement remains the same to date, though the financial responsibilities of the Superintendent of Public Instruction since that time have considerably increased. The Superintendent of Public Instruction must take an oath to support the Constitutions of the United States and of the State of Iowa, and to perform the duties of his office faithfully and impartially as required by law. He must be twenty-one years of age and a citizen of the State of Iowa.

The process of qualifying for office after election must be completed by noon of the second secular day in January of the first year of the term for which the Superintendent of Public Instruction was elected, unless he is prevented by inclement weather, unavoidable absence, or casualty, in which case an extension of ten days is granted. When the election is contested the successful candidate must complete his qualifications within ten days after the decision of the contest has been rendered.⁴⁰

Selection and Tenure.—The office of Superintendent of Public Instruction as first provided for in the Territorial government was appointive by the Governor for a term of three years. By provision of the Constitution of 1846 the office was made elective for a term of three years, and remained so until its abolition by the Board of Education in 1858. With the restoration of the office in 1864, it was provided that a Superintendent of Public Instruction "shall be elected by the General Assembly to serve until January 1866, and thereafter a Superintendent of Public Instruction

⁴⁰ *Laws of the Territory of Iowa*, 1840-1841, Ch. 46; *Code of 1851*, Secs. 326, 328; *Laws of Iowa*, 1864, Ch. 52, 1913, Ch. 103; *Code of 1873*, Sec. 678; *Code of 1927*, Secs. 526, 540, 544, 655-a1, 1045, 1047, 1048, 1063, 1070, 1073, 1077.

shall be elected by the people every two years." The office remained elective biennially until 1913, when an attempt was made to remove it from politics. In that year it was made appointive for a term of four years. It was provided that the Governor shall "nominate and with the consent of two-thirds of the members of the senate in executive session, appoint a superintendent of public instruction". With but one term's trial of this method of selection the Thirty-seventh General Assembly enacted a law again making the office elective.⁴¹

Candidates for the office of Superintendent of Public Instruction may be nominated by the regular primary, by convention, or by petition signed by five hundred qualified voters of the State. If an individual desires to be nominated as a member of a political party as defined in the Iowa law he must seek nomination at the primary. The law also provides that political organizations which are not political parties may nominate a candidate for this office by convention. If a person desires to run independent of any party organization he may seek nomination by petition.⁴² The law provided that the Superintendent of Public Instruction should "be elected at the general election in (1926) and each fourth year thereafter."⁴³

Compensation.—During the greater part of the time since the establishment of his office, the Superintendent of Public Instruction has received a comparatively small salary. The act creating the office under the Territorial government provided that the Superintendent of Public Instruction should receive two hundred and fifty dollars per

⁴¹ *Laws of the Territory of Iowa*, 1840-1841, Ch. 46; *Code of 1851*, Secs. 239, 240, 1076; *Laws of Iowa*, 1864, Ch. 52, 1913, Ch. 103, 1917, Ch. 318.

⁴² *Code of 1927*, Secs. 528, 529, 655-a1, 655-a17; *Laws of Iowa*, 1925, Ch. 27.

⁴³ *Code of 1927*, Sec. 515.

year.⁴⁴ This amount was raised to twelve hundred dollars with the establishment of the office by the First General Assembly in 1846.⁴⁵ In 1864 the salary of the Superintendent of Public Instruction was raised to \$1300; in 1866 it was raised to \$1500; and in 1870 it was increased to \$2200. The Thirty-fifth General Assembly, in adopting the recommendations of the Better Schools Commission in 1913, provided a salary of \$4000 per annum for the Superintendent of Public Instruction.⁴⁶

In 1868 the General Assembly created the office of Deputy Superintendent of Public Instruction. The compensation allowed the Deputy Superintendent of Public Instruction, like that of the Superintendent, has been subject to many changes. These changes are as follows: in 1870, \$1200; in 1886, \$1500; in 1907, \$1800; in 1913, \$2500; in 1923, \$2700; and in 1927, \$2850.

The General Assembly has from time to time also made additions to the staff of the Department of Public Instruction, involving increased compensation expenditures. These have been as follows: (1) in 1911, an Inspector of Normal Training High Schools at a salary of \$2000 per annum; (2) in 1913, a Chief Clerk at \$1500 per year, and three additional inspectors at \$2000 each; and (3) in 1919, a Director of the Teachers' Placement Bureau, at \$1200.⁴⁷

The present schedule of salaries allowed annually for the staff of the Department of Public Instruction is: (1) Superintendent of Public Instruction, \$4000; (2) Deputy Superintendent, \$2850; (3) each of four inspectors, \$2400; and (4)

⁴⁴ *Laws of the Territory of Iowa*, 1840-1841, Ch. 46.

⁴⁵ *Laws of Iowa*, 1846-1847, Ch. 99.

⁴⁶ *Laws of Iowa*, 1864, Ch. 52, 1866, Ch. 67, 1870, Ch. 112, 1913, Ch. 103, 1927, Ch. 275, p. 258.

⁴⁷ *Laws of Iowa*, 1868, Ch. 115, 1870, Ch. 112, 1886, Ch. 118, 1907, Ch. 2, 1911, Ch. 131, 1913, Ch. 103, 1919, Ch. 298, 1923, Ch. 334, 1927, Ch. 275; *Iowa Official Register*, 1921-1922, p. 150.

Chief Clerk, \$1800. The inspector of normal training schools is paid from the fund provided for normal training schools, and his salary is fixed by the Superintendent of Public Instruction.⁴⁸

Vacancies.—A vacancy in the office of the Superintendent of Public Instruction may occur upon: (1) failure to elect; (2) failure to qualify; (3) termination of residence in the State; (4) resignation; (5) decision of the Polk County District Court declaring the office vacant; (6) conviction of the incumbent of an infamous crime, or of any public offense involving the violation of his oath of office; (7) suspension by the District Court of Polk County; or, (8) upon the death of the incumbent. All cases of vacancies are filled by appointment by the Governor. The succeeding official serves only until the removal of the disqualifications from the regular Superintendent of Public Instruction; or in case of vacancy occurring as the result of resignation, removal from the State, or death, the appointed official serves until the next regular election, and the qualification of the newly elected Superintendent of Public Instruction.⁴⁹

Removal.—The Superintendent of Public Instruction may be removed from office as the result of action brought in the Polk County District Court. Action may be brought because of: (1) wilful or habitual neglect; (2) wilful misconduct or maladministration in office; (3) corruption; (4) extortion; (5) conviction of a felony; and (6) intoxication, or because of having been convicted of being intoxicated.

⁴⁸ *Biennial Report of the Attorney General*, 1925-1926, pp. 128-130; *Iowa Official Register*, 1927-1928, p. 142; *Laws of Iowa*, 1927, Ch. 275, p. 258. The Forty-second General Assembly in making the appropriation for the Department of Public Instruction did not provide for the Director of the Teachers' Placement Bureau.—*Laws of Iowa*, 1927, Ch. 275, p. 258.

⁴⁹ *Code of 1927*, Secs. 1091, 1092, 1107, 1146, 1152, 1155.

Petition for removal may be filed in the office of the Clerk of the Polk County District Court by the Attorney General of the State or by not fewer than twenty-five qualified electors of the State of Iowa.

The petition for removal must be filed in the name of the State of Iowa and the accused shall be named as defendant. When the petition is filed by the qualified electors it must be verified. Upon the filing of a petition, notice of such filing and of the time and place of hearing shall be served upon the accused. The time of hearing shall not be less than ten days nor more than twenty days after completion of the serving of notice. The Superintendent of Public Instruction may then be suspended from office by the Polk County District Court or by the judge thereof during trial. "The proceeding shall be summary in its nature, shall be triable as an equitable action, and may be heard either in vacation or term time." Change of venue may be had by application to the Supreme Court. In such case the Supreme Court will appoint a judge, in place of the regular Polk County District Court judges, to sit in the case. If judgment of removal is rendered by this court, the Governor appoints a successor to fill the vacancy. Appeal to the Supreme Court of the State of Iowa may be had by the defendant, but such appeal and the filing of supersedeas bond shall not operate to stay the proceedings of the District Court, or judge, or restore the defendant Superintendent to office pending appeal.⁵⁰

In addition to providing for the removal of the Superintendent of Public Instruction from office, the General Assembly has also provided that he may be suspended by judicial or court order. A suspension is not, strictly speaking, a removal; it is not even a temporary removal, for the suspended official is still treated as an officer. Although

⁵⁰ *Code of 1927*, Ch. 56.

this is true, suspension of officials may properly be treated, at least in this particular connection, as a phase of removal from office.⁵¹

By the suspension act the Governor is authorized to appoint a commission of three competent accountants to examine and inspect the books, papers, vouchers, moneys, securities, and documents under the control of the Superintendent of Public Instruction. Such accountants are required to make out a full, complete, and specific statement of the transactions of the Superintendent of Public Instruction, with, for, or on behalf of the State, and report the same to the Governor, with such suggestions as they may think proper. If he finds from the examination of the report that sufficient grounds for removal exist, the Governor may lay a copy of the report before the Attorney General, and direct that officer to file petition for removal against the Superintendent of Public Instruction in the Polk County District Court.⁵² Upon the filing of this petition with the clerk of the Polk County District Court, and the presentation of the petition to the judge, the Court or judge may suspend the accused Superintendent of Public Instruction from office. When suspended from office the Superintendent of Public Instruction may not attempt to exercise any of the functions of his office. Revoking of the suspension acts to reinstate the Superintendent in office.⁵³

Staff.—During the early history of the office one of the greatest needs of the Superintendent of Public Instruction seems to have been an adequate staff. It was during this time that the Superintendent of Public Instruction enjoyed real power, but because of the lack of assistance in his office

⁵¹ *Code of 1927*, Ch. 57; *Brown v. Duffus*, 66 Iowa 193, at 199.

⁵² *Code of 1927*, Secs. 1119, 1120, 1122, 1123.

⁵³ *Code of 1927*, Secs. 1092, 1094, 1097.

he was obliged to function in only a limited portion of the educational field, and to neglect other important phases of school administration.⁵⁴

The First General Assembly in making provision for the office of Superintendent of Public Instruction provided the Superintendent with power to appoint a deputy, but the Superintendent of Public Instruction had to pay the deputy out of his own salary. The Twelfth General Assembly in 1868, however, allowed the Superintendent of Public Instruction a deputy.⁵⁵ In 1911 an Inspector of Normal Training High Schools was added to the staff.⁵⁶ And in 1913, the Thirty-fifth General Assembly provided for three additional inspectors of schools: an Inspector of Rural and Consolidated Schools, and two Inspectors of State Graded and High Schools. The Thirty-fifth General Assembly also provided for a Chief Clerk as a member of the staff of the Department of Public Instruction.⁵⁷ In response to the need for teachers brought about by war conditions, the Thirty-eighth General Assembly provided for a Bureau of Teachers' Placement in the Department of Public Instruction and established a Director at the head of this Bureau.⁵⁸ At the present time, the staff of the Department of Public Instruction consists of the Superintendent of Public Instruction, the Deputy Superintendent of Public Instruction, the Chief Clerk, and five inspectors as follows: (1) Inspector of Consolidated Schools, (2) Inspector of Mining Camp Schools, (3) Inspector of Normal Training High Schools,

⁵⁴ *Aurner's History of Education in Iowa*, Vol. II, p. 12.

⁵⁵ *Laws of Iowa*, 1846, p. 133, 1868, Ch. 115.

⁵⁶ *Laws of Iowa*, 1911, Ch. 131.

⁵⁷ *Laws of Iowa*, 1913, Ch. 103; *Biennial Report of the Attorney General*, 1913-1914, pp. 148, 149; *Biennial Report of the Superintendent of Public Instruction*, 1912-1914, p. 1.

⁵⁸ *Laws of Iowa*, 1919, Ch. 298; *Biennial Report of the Superintendent of Public Instruction*, 1918-1920, pp. 84, 85.

(4) Inspector of Graded and High Schools, and (5) Inspector of Rural Schools.⁵⁹

III

THE ADMINISTRATIVE POWERS OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

In exercising the functions of his office the Superintendent of Public Instruction is largely independent of any other educational administrative agency. These functions are numerous and varied in nature. They may be grouped into two classes. First, the Superintendent of Public Instruction has certain mandatory powers and duties, that is, those powers and duties which are imposed upon him by law. As head of a department which has been created by the State legislature, the Superintendent of Public Instruction derives all his authority from that source. Though the scope of his authority is quite clearly worked out by statute, the realm in which he is compelled by law to act seems much less clearly indicated. Whether a certain statute is mandatory or not may be determined only by the courts. It might appear from a reading of the words "shall" and "must" or "may" that the character of his duties would be easily determined, but the word "may" is often construed as meaning "must", or "shall" to mean "may".⁶⁰ Furthermore the courts have held that even where the law imposing a duty upon an officer is not mandatory in form, it will be regarded by them as mandatory where it has been adopted with the idea of affording protection to the individual.

⁵⁹ *Biennial Report of the Superintendent of Public Instruction, 1926-1928*, p. 3; *Biennial Report of the Attorney General, 1925-1926*, pp. 128-130; *Laws of Iowa, 1927*, Ch. 275, p. 258.

⁶⁰ Goodnow's *The Principles of Administrative Law of the United States*, pp. 295, 296; Van der Zee's *Form and Language of Statutes in Iowa*, as found in the *Iowa Applied History Series*, Vol. III, pp. 379, 380.

What an official is empowered to do for a third person shall be done.⁶¹

Among the mandatory duties of the Superintendent of Public Instruction the following may be cited as examples: (1) he shall prepare "and supply questions for the examination of applicants of teachers' certificates and pupils completing the eighth grade in the rural schools", and fix the time for holding such examinations; (2) he shall appoint at least one and not more than two county educational meetings or institutes to be held annually; (3) he shall make such regular reports to the Auditor of the State and the Governor respectively as are prescribed by law; (4) he must submit a comprehensive program of proposed expenditures for mining camp schools to the Executive Council for its approval before money can be spent. This last duty admits of considerable discretionary authority, but it is mandatory in that the report must be made before approval of the Executive Council can be secured.

Secondly, the Superintendent of Public Instruction has authority to exercise certain discretionary powers. These may be referred to as his directory duties. The Superintendent of Public Instruction in executing his discretionary duties is not liable for the way in which he executes them, nor may he be forced by the courts to execute them in any particular manner. Concerning this power the English courts have said: "Discretion is to discern between right and wrong, and therefore whoever hath power to act at discretion is bound by the rule of reason and law."⁶²

It is to this class, that is, to his discretionary duties, that almost all of the duties of the Superintendent of Public

⁶¹ *French v. Edwards*, 13 Wallace (U. S.) 506; *Supervisors v. United States*, 4 Wallace (U. S.) 435, 446, 447.

⁶² Freund's *Cases on Administrative Law*, p. 61; *Bayley v. Ewart*, 52 Iowa 111, 112; *Code of 1927*, Ch. 190; *Laws of Iowa*, 1927, Ch. 275; Goodnow's *The Principles of the Administrative Law of the United States*, pp. 295, 296.

Instruction belong. The courts have held that they "are, and ought to be, slow to interfere with the conduct of public business by public officers; and this is especially true of public business committed to the administration of officers or boards not learned in law, and unaccustomed to the observance of strict, legal formalities. If they manifest good faith, and show substantial compliance with the law prescribing their duties, their acts should be sustained against the hostile attack grounded on technical defects and omissions occasioning no prejudice to public interests."⁶³ Illustrative of the discretionary powers or duties of the Superintendent of Public Instruction are the following: (1) examining and determining appeals; (2) classifying and defining the various schools under his supervision; (3) formulating suitable courses of study; (4) inspection of the various schools of the public school system; (5) prescribing reports, forms, blanks; (6) obtaining and furnishing information so as to assist in securing positions for teachers; (7) designating and approving high schools for normal training work, and approving consolidated and standard schools for State aid; and (8) directing and approving county and town institutes.

This study is not primarily concerned with a technical analysis of each of the many functions and duties of the Superintendent of Public Instruction, nor with the making of a rigid classification of the many detailed duties involved in the administration of the Department of Public Instruction. It aims rather to point out in general the features of the administrative powers involved in the work of the Department, how they are actually carried out, and the general effects upon the public school system. The remaining chapters are therefore given to discussion of these chief administrative powers, that is, the power of appointment,

⁶³ Crawford v. School Township of Beaver, 182 Iowa 1324, 1334.

power of removal, power of direction and supervision, ordinance power, deciding appeals, powers of financial control, and *ex officio* powers.⁶⁴

IV

POWER OF APPOINTMENT

Appointment has been defined as consisting of the "choice by the appointing authority of the person appointed." There can be no appointment to office in the public service without legal authority. For any department of government to exercise the power of appointing its subordinates is in legal theory a distinctive feature of its independence.⁶⁵

The First General Assembly of Iowa conferred the power of appointment upon the Superintendent of Public Instruction by providing that he might appoint a deputy. Since the office of Superintendent of Public Instruction now has a statutory basis, it necessarily follows that the Superintendent of Public Instruction is dependent upon the legislature for his power of appointment. This power may be altered or entirely taken away by that body at any time. The function of appointment has been extended by the General Assembly on several instances by the addition of new divisions to the Department. But since there is no hierarchy of school officers in Iowa, the power of appointment of the Superintendent of Public Instruction is comparatively limited. The Thirty-fourth General Assembly in 1911 created within the Department of Public Instruction the position of Inspector of Normal Training High Schools, and provided that he should be appointed by the Superin-

⁶⁴ *Code of 1927*, Ch. 190, 194, 209, 222, Secs. 4108, 4111, 4112.

⁶⁵ Goodnow's *The Principles of the Administrative Law of the United States*, pp. 37, 38, 253; McQuillin's *A Treatise on the Law of Municipal Corporations*, Vol. II, p. 1004.

tendent of Public Instruction.⁶⁶ In 1913, the Thirty-fifth General Assembly added to the appointive power of the Superintendent of Public Instruction by creating the offices of Chief Clerk and three additional inspectors, which offices were to be organized at the discretion of the Superintendent of Public Instruction. The offices of inspectors now provided are: Inspector of Graded and High Schools, Inspector of Consolidated Schools, Inspector of Rural Schools, Inspector of Mining Camp Schools, and Inspector of Normal Training Schools.⁶⁷ The Thirty-eighth General Assembly empowered the Superintendent of Public Instruction to organize the Teachers' Placement Bureau and establish a Director at its head.

The appointive authority of the Superintendent of Public Instruction within the Department is complete in all cases excepting in case of the Deputy Superintendent of Public Instruction and the Inspector of Mining Camp Schools. In the case of the appointment of the Deputy Superintendent, the Superintendent of Public Instruction must have the approval of the Governor; also the qualifications for the Deputy Superintendent must be the same as those required of the Superintendent of Public Instruction.⁶⁸ In the case of the Inspector of Mining Camp Schools, the Superintendent of Public Instruction must secure special authorization of the Executive Council to make the appointment.⁶⁹

The Superintendent of Public Instruction as executive officer of the State Board for Vocational Education "shall with its approval, appoint such assistants as may be neces-

⁶⁶ *Laws of Iowa*, 1846-1847, p. 133, 1911, Ch. 131.

⁶⁷ *Laws of Iowa*, 1913, Ch. 103, 1927, Ch. 275, p. 258; *Biennial Report of the Superintendent of Public Instruction*, 1926-1928, p. 3; *Biennial Report of the Attorney General*, 1913-1914, p. 149, 1924-1926, pp. 128-130.

⁶⁸ *Code of 1927*, Sec. 3835; *Biennial Report of the Superintendent of Public Instruction*, 1920-1922, p. 66.

⁶⁹ *Iowa Official Register*, 1925-1926, p. 659.

sary". Since this Board serves as the administrative board in charge of civilian rehabilitation, the Superintendent of Public Instruction also appoints the necessary officials to carry out that work, but here again he must have the approval of the Board in making appointments.⁷⁰

V

REMOVAL

The removal of a public official is the act of depriving a person of a government office. It may take place at any time within the term for which the official is serving, whether his commission be definite or indefinite. The removal, however, must be within the term for which the person has been chosen. The expiration of a tenure of office is not technically a removal. This method of control over governmental agents does not involve the violation of any constitutional or legal rights; the right to a public office is not a property or a contractual right — indeed, it is not an absolute right of any kind. In fact the right to office is merely a privilege. To be sure, an office holder may have certain rights; he has the legal right, for example, to protect himself against unlawful removal.⁷¹

Although appointive officials are usually subject to removal by impeachment, they have been more effectively controlled by summary removal. In addition to removal by impeachment and summary removal, removal for cause is also common. That is to say, there is another distinct method of removal for cause other than by impeachment; it applies to both elective and appointive officers in Iowa.⁷²

⁷⁰ *Code of 1927*, Secs. 3839, 3852.

⁷¹ *Butler v. Pennsylvania*, 10 Howard (U. S.) 402, pp. 415-417; Ashley's *Removal of Public Officials* in McLaughlin and Hart's *Cyclopedia of American Government*, Vol. III, pp. 177, 178.

⁷² Goodnow's *The Principles of the Administrative Law of the United States*, p. 462; *Code of 1927*, Secs. 1091, 1114.

The subordinate officials of the Department of Public Instruction may be removed by either of two methods, namely: (1) by summary removal, or (2) by removal for cause. On the other hand the General Assembly may abolish any one of the offices within the Department with the incidental result of terminating the official relation of the incumbent.⁷³ Summary removal, that is, removal without cause, or dismissal at the discretion of the Superintendent of Public Instruction may be effected by formal discharge or by the appointment of a successor to the incumbent. This method of removal is based on the principle that the power of removal is incident to the power of appointment and is applicable in case of the subordinate officials of the Department of Public Instruction only because each of the offices is held at the pleasure of the Superintendent of Public Instruction and a definite term is not fixed by law.⁷⁴

The subordinate officials of the Department of Public Instruction may be removed for cause by judicial process as provided for the removal of the Superintendent of Public Instruction and described under the topic of removal in Chapter II. Furthermore, the Governor shall, when of the opinion that the public service requires such action, appoint a commission to examine such officials and, upon return of an unsatisfactory report by this commission, he shall lay a copy of this report before the Executive Council. The Executive Council may use such report as the basis for removal or it may upon the direction of the General Assembly begin investigation proceedings. The Executive Council may remove any one of the subordinate officials of the Department of Public Instruction for the following causes:

⁷³ *Biennial Report of the Attorney General*, 1923-1924, p. 370.

⁷⁴ McQuillin's *A Treatise on the Law of Municipal Corporations*, Vol. II, pp. 1205-1207; *Biennial Report of the Attorney General*, 1909-1910, p. 67; Goodnow's *The Principles of the Administrative Law of the United States*, p. 312; *Code of 1927*, Sec. 3835; *Ex Parte Hennen*, 13 Peters (U. S.) 230-262, at 259.

(1) habitual or wilful neglect of duty, (2) any disability preventing a proper discharge of the duties of his office, (3) gross partiality, (4) oppression, (5) extortion, (6) corruption, (7) wilful misconduct or maladministration in office, (8) conviction of felony, (9) a failure to produce and fully account for all public funds and property in his hands at any inspection or settlement, and (10) becoming ineligible to hold office.⁷⁵

Also in view of the principle that appointive officers without a definite term may be removed by the appointing authority because the power of removal is regarded as incident to the power of appointment, the Superintendent of Public Instruction, it would seem, is authorized to remove those officials appointed by him in the Vocational Education Service.⁷⁶ Thus the Superintendent of Public Instruction is empowered to remove all those subordinate officials serving within his own Department and all those subordinate officials serving in the administration of vocational education.⁷⁷

VI

THE POWERS OF DIRECTION SUPERVISION AND CONTROL

In the administration of the public schools of Iowa almost all duties are performed by officers elected by the people. Only the small group of officials and assistants in the Department of Public Instruction really has direct administrative responsibility. Practically all the public school officials of the State are independent of any effective

⁷⁵ *Biennial Report of the Attorney General*, 1923-1924, pp. 271, 272; *Laws of Iowa*, 1921, Ch. 158; *Code of 1927*, Secs. 1114, 1119, 1122, 1123.

⁷⁶ McQuillin's *A Treatise on the Law of Municipal Corporations*, Vol. II, pp. 1229, 1230.

⁷⁷ *Code of 1927*, Sec. 3839.

direction or supervision from the Department of Public Instruction, except as they obligate themselves in accepting State aid for their schools. The Superintendent of Public Instruction has general power to ascertain "by inspection or otherwise, the conditions, needs, and progress of the schools under the supervision and control of his department", and to "classify and define the various schools under the supervision and control of his department". The powers of the Superintendent of Public Instruction appear to be directory and supervisory more in theory than in practice.⁷⁸ Almost all administrative matters affecting the public schools of the State are performed by local officers who are really quite independent of central supervision; although there is no branch of the public school system over which the Superintendent of Public Instruction has not some influence. The Department of Public Instruction sends to local school officials instructions as to how they should execute the law relative to their schools.⁷⁹ This does not appear to be the result of any change in the responsibility of these local officials, but is due rather to the making of special classifications of their schools and the giving of grants and aids. Thus the Superintendent of Public Instruction is enabled to direct, supervise, and control to some degree almost all the public elementary and secondary schools of the State.

THE DEPARTMENT OF PUBLIC INSTRUCTION

As head of the Department of Public Instruction the Superintendent of Public Instruction may exercise the powers of direction, supervision, and control within the Department apparently in an effective, almost complete and

⁷⁸ *Code of 1927*, Sec. 3832; Bowman's *Problems in the Administration of Iowa*, p. 53.

⁷⁹ Bowman's *Problems in the Administration of Iowa*, pp. 53, 55.

independent manner.⁸⁰ In the work of the Department in connection with the mining camp schools, however, the Superintendent of Public Instruction must coöperate with and act under the advisement of the Executive Council in matters relating to the distribution of funds to these schools.⁸¹ The Superintendent of Public Instruction is enabled to make effective his powers of direction and supervision for he apparently has full power to remove any member of his staff.⁸²

The Deputy Superintendent of Public Instruction and the supervisors and inspectors of the Department of Public Instruction are all under the direction of, and subject to, the supervision of the Superintendent of Public Instruction in carrying out their particular functions. The Department of Public Instruction handles approximately \$500,000 annually, distributing this sum to consolidated schools, normal training schools, mining camp schools, and standardized schools. The distribution of these funds is made upon the basis of reports and statistics compiled by the inspectors or supervisors and approved by the Superintendent of Public Instruction. Moreover, the Superintendent of Public Instruction must approve all bills for the distribution of these funds, the necessary traveling expenses of the inspectors and the salaries of the clerical help. In addition, the Superintendent of Public Instruction edits and writes a large number of bulletins and reports in connection with the work of the Department.⁸³

⁸⁰ *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, p. 12.

⁸¹ *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, p. 66; *Laws of Iowa, 1927*, Ch. 275.

⁸² Patton's *Removal of Public Officials in the Iowa Applied History Series*, Vol. II, p. 394.

⁸³ *Laws of Iowa, 1927*, Ch. 275, p. 258; *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, pp. 12, 13, 46-59, 60-65, 66.

THE COUNTY SUPERINTENDENT AND RURAL SCHOOLS

The Superintendent of Public Instruction makes use of the county superintendents of schools as a means of communication between the Department of Public Instruction and the "various school officers and instructors" of the counties, and in transmitting and delivering "all books, papers, circulars and communications designed for them".⁸⁴

In matters concerning the "standard schools", the Superintendent of Public Instruction has "general supervisory and plenary powers." A standard school is legally defined as "Any school located in a district, other than a city independent or consolidated district, not maintaining a high school, which has complied" with the law governing such schools.⁸⁵ Directions are given to the county superintendents of schools and to the local school officials relative to standard conditions for the certain type of school, involving the schoolhouses, grounds, equipment, heating, lighting, ventilation, seating, water supply, library, fire protection, and teacher requirements. Detailed specifications are made to county superintendents, school officials, and teachers to serve as directions in determining whether a school is ready for standardization, and for guidance in selecting and purchasing materials and supplies together with the general improvement of the school. The Superintendent of Public Instruction may at any time he deems necessary prescribe additional requirements.⁸⁶

⁸⁴ *Code of 1927*, Sec. 4106.

⁸⁵ *Biennial Report of the Attorney General*, 1923-1924, p. 369; *Code of 1927*, Sec. 4329.

⁸⁶ *Code of 1927*, Secs. 4329, 4330; *Biennial Report of the Superintendent of Public Instruction*, 1918-1920, pp. 60, 61. The Superintendent of Public Instruction issues an official rating card to be used by the county superintendent of schools in scoring a school desirous of becoming standardized or for a guide to a standardized school in maintaining or raising its status. The chief features outlined in this score card are: (1) grounds and outbuildings, 120 points; (2) the schoolhouse, 190 points; (3) equipment and care of school-

Each county superintendent of schools is required by law to make an annual report on or before June thirtieth, of the conditions of the standardized schools within his county. Upon the receipt from the county superintendent of schools of a satisfactory report showing that any certain rural school has fulfilled the requirements of a standard school, the Superintendent of Public Instruction issues a requisition upon the State Auditor for the amount due the rural school district entitled to State aid for the past school year. The State Auditor, thereupon, draws a warrant upon the State Treasurer payable to the secretary of the school corporation entitled to State aid. The amount that can be secured by any standard school is six dollars for each pupil who attended the school in question at least six months of the previous year. The Superintendent of Public Instruction is required to furnish a standard school with a "door plate or mark of identification".⁸⁷

The Superintendent of Public Instruction may direct the county superintendents of schools in making reports, both as to the manner of making them and the contents of the reports. He may require that the county superintendents make reports additional to those specified by law concerning standard schools.⁸⁸ Annually, on the last Tuesday in August, the county superintendent of schools in each county is required to make a report upon all the schools within his county. This report is an abstract of the reports made to him by secretaries and treasurers of school corporations,

room, 190 points; (4) library and supplementary readers, 90 points; (5) the teacher and the school, 290 points; and, (6) community and school activities, 120 points. Total 1000 points. To become standardized a rural school must have a rating of 800 points on this score card for the first year, 850 points for the second year, and 900 points for every year thereafter.—*Standardization of Rural Schools*, 1928, pp. 5-8, 9-37.

⁸⁷ *Code of 1927*, Secs. 4331, 4332, 4334, 4335.

⁸⁸ *Code of 1927*, Sec. 4331.

and in addition shows to what extent the requirements of the law for instruction in physiology and hygiene are observed. This report must also show such other matters as the Superintendent of Public Instruction has instructed the county superintendent of schools to include.⁸⁹ It is in respect to the making of reports that the Superintendent of Public Instruction may really exercise his supervisory powers over the county superintendents. Upon failure to report satisfactorily to the Superintendent of Public Instruction, a county superintendent of schools may be made to forfeit the sum of fifty dollars to the county school fund and bear the expense of having a satisfactory report made.⁹⁰

The Superintendent of Public Instruction may also instruct any other officer or person who has any authority or duties in connection with public school affairs, or who now has or has had the custody or control of public school funds or property, to make reports to him. The failure of local officials to make the required report is a misdemeanor and punishable as such.⁹¹

The Superintendent of Public Instruction directs the county superintendent of schools in holding county institutes for the teachers. He appoints at least one and not more than two county teachers' institutes in each county each year, and designates the time and place for holding them. The county superintendent of schools makes out the program and selects the instructors and lecturers, but the program and instructional staff must be approved by the Superintendent of Public Instruction. Any school corporation employing regularly twenty-five or more teachers may hold a teachers' institute separate from that of the regular county institute. In case a school corporation does hold a

⁸⁹ *Code of 1927*, Sec. 4106.

⁹⁰ *Code of 1927*, Sec. 4107.

⁹¹ *Code of 1927*, Sec. 3834.

separate institute for its teachers, the county superintendent must coöperate with the city superintendent in arranging the program and selecting the staff. Arrangements or plans for professional meetings in such districts are, however, subject to the approval of the Superintendent of Public Instruction.⁹²

DIRECTION SUPERVISION AND CONTROL OF THE GRADED AND HIGH SCHOOLS

The general supervision and control of the schools of the State vested in the Department of Public Instruction is not wholly a new responsibility. The Tenth General Assembly in 1864 charged the Superintendent of Public Instruction with the general supervision of all the common schools of the State. It remained, however, for the Thirty-fourth General Assembly and the Thirty-fifth General Assembly to provide the machinery for the constructive supervision and control of the public graded and high schools of the State.⁹³

The Department of Public Instruction defines the term, "graded and high schools", as including all public schools of the State with graded elementary work and with one or more years of high school work. This includes such schools as are approved and those not yet standardized and approved by the Department of Public Instruction. It does not include rural schools, except those that are consolidated, and others that employ more than one teacher.⁹⁴

The chief factor that brings these schools under effective supervision of the Department of Public Instruction is the provision that every school corporation that does not provide a four years' high school course shall pay the tuition

⁹² *Code of 1927*, Secs. 3840, 4108, 4111, 4112.

⁹³ *Laws of Iowa, 1864*, Ch. 52, 1911, Chs. 131, 146, 1913, Chs. 103, 239.

⁹⁴ *Biennial Report of the Superintendent of Public Instruction, 1916-1918*, p. 47.

of its pupils of school age, who have completed the course as approved by the Department of Public Instruction for such corporation, if they choose to attend an approved high school.⁹⁵

The work of inspection and supervision of the graded and high schools of the State consists of work in the office of the Department of Public Instruction and field work which involves more than ten thousand miles of travel annually in visiting schools. This work is in the immediate charge of the Inspector of Graded and High Schools. In performing this work he is under the direction of the Superintendent of Public Instruction. The chief duties of the Inspector of Graded and High Schools in supervising the schools are: (1) visiting the schools of the State, (2) checking up material equipment; (3) examining the course of study and records; (4) visiting classroom work of the teachers; (5) conferring with superintendents, teachers, and boards of education; (6) advising local school authorities relative to the type of school which should be maintained by them; (7) making itemized written reports of the results of inspection and requirements needed by each particular school; (8) preparing and sending out report blanks at the beginning of each school year; (9) examining reports sent to him and making recommendations relative to the same, to each school; (10) providing standards for graded and high schools; (11) preparing courses of study; and (12) issuing bulletins and manuals. About one-half of the time of the Inspector of Graded and High Schools is spent in checking reports, preparing literature and bulletins, answering correspondence, and doing other forms of office work. So that on the average a school can not be inspected more than once every two and one-half years. Usually schools are inspected when applying for approval, but sub-

⁹⁵ *Code of 1927*, Secs. 4275, 4277.

sequent maintenance of that standard is checked largely by the Inspector of Graded and High Schools from reports turned into the Department of Public Instruction.⁹⁶

Schools desiring to be standardized and approved by the Department of Public Instruction, and those desiring to maintain that status must meet reasonable requirements in the way of the following: (1) material equipment, including buildings, fixtures, and grounds; (2) organization; (3) curriculum, consisting of an elementary course of eight years and a high school course of one, two, three or four years, each of which must have a well arranged course of study, well balanced and coördinated; (4) instruction; and (5) spirit. Schools may be approved for one year, two, three, or four years of high school work.⁹⁷

DIRECTION SUPERVISION AND CONTROL OF NORMAL TRAINING HIGH SCHOOLS

The normal training high school was established in Iowa by the Thirty-fourth General Assembly as a local institution for training teachers for rural schools.⁹⁸ The Superintendent of Public Instruction may designate the schools which may take advantage of this provision and establish departments of normal training in their high schools. The Superintendent of Public Instruction is also given discretion in the matter of deciding which schools shall be selected as normal training high schools. It is expected, however, that in deciding which schools shall be selected, the Superintendent of Public Instruction will take into account the usefulness of the high school under consideration in supplying

⁹⁶ *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, pp. 64, 65.

⁹⁷ See *Summary of Standards and Equipment for Approved Graded and High Schools*; *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, pp. 63, 65.

⁹⁸ *Laws of Iowa, 1911*, Ch. 131.

trained teachers for the rural schools of the community, also the likelihood of the schools in question maintaining the required standards. Using this as a basis, the Superintendent of Public Instruction may discriminate in favor of a consolidated school over a city high school in the same locality, even though the city high school may be better equipped to do the work. Private and denominational schools may also be approved by the Superintendent of Public Instruction for establishing normal training departments, but such schools do not thereby become eligible to receive State aid as is provided for public normal training high schools. Thus four types of schools come under the direction, supervision, and control of the Department of Public Instruction, namely: approved high schools, consolidated schools, and private and denominational schools.⁹⁹ The Superintendent of Public Instruction may approve any of these types of schools with any sized enrollment, but State aid can be secured only in a school maintaining a normal training department and having had a class of ten members the preceding semester. In order that State aid may be secured by an approved, public, normal training high school it must present a satisfactory report to the Superintendent of Public Instruction at the close of each semester. To receive the annual apportionment of State aid the normal training high school must receive the approval of the Department of Public Instruction each year. Upon the receipt of such satisfactory report the Superintendent of Public Instruction must issue a requisition upon the State Auditor for the amount due the school.¹⁰⁰

Public high schools desiring recognition as normal training high schools are instructed to make formal application

⁹⁹ *Code of 1927*, Secs. 3899, 3901.

¹⁰⁰ *Normal Training High Schools in Iowa*, 1925, p. 35; *Code of 1927*, Secs. 3900, 3902, 3903, 3904.

to the Department of Public Instruction for such. Personal inspection by a member of the staff of the Department of Public Instruction is necessary before a normal training department can be established in any approved high school or consolidated high school. The Superintendent of Public Instruction has provided that when any school, designated as a normal training high school, fails to maintain an enrollment of ten students in its normal training department for two consecutive semesters, that school forfeits its recognition as such until it has again been inspected and designated as a normal training high school. No high school is entitled to the privileges of a normal training high school until it has been officially designated as such by the Superintendent of Public Instruction.¹⁰¹

Normal training high schools are personally inspected by the Inspector of Normal Training High Schools, but every act of that official is subject to the supervision of the Superintendent of Public Instruction. The instructions given by the Superintendent of Public Instruction to normal training high schools deal with: (1) general organization; (2) number and qualification of teachers; (3) normal training classes; (4) professional training of normal training students; (5) high school grades, examinations, and certificates; and (6) normal training club work.¹⁰²

Relative to general organization, the Superintendent of Public Instruction designates the standards that must be maintained in the administration of the normal training schools; the conditions of the buildings, laboratories, libraries, and other physical equipment.¹⁰³

In regard to the number and qualifications of teachers

¹⁰¹ *Normal Training High Schools in Iowa*, 1925, pp. 12, 13.

¹⁰² *Normal Training High Schools in Iowa*, 1925, pp. 12, 14, 19, 22, 26, 36.

¹⁰³ *Normal Training High Schools in Iowa*, 1925, pp. 12, 13; *Normal Training High Schools in Iowa*, Circular No. 2, 1928, pp. 9-13.

in normal training schools, the Superintendent of Public Instruction gives instructions relative to the experience, training, and professional qualifications of the superintendent of schools; and the experience, professional qualifications, training, and responsibilities of the normal training critic. The Superintendent of Public Instruction designates the type of work to be taught by the critic teacher, the maximum number of teaching periods daily, the minimum number of free periods daily for conference with the students, the critic teacher's responsibility for criticism, and the manner in which the critic teacher should coöperate with the county superintendent of schools, grade teachers, and normal training students. The Superintendent of Public Instruction also gives instructions regarding the experience, professional qualifications, and training of high school teachers, home economics teachers, agriculture teachers, normal training teachers, music teachers, commercial teachers, physical education teachers, grade teachers, and primary teachers. The Superintendent of Public Instruction likewise specifies that no high school class enrollment in normal training schools should exceed thirty pupils, and that no high school teacher should be required to conduct more than six recitations daily.¹⁰⁴

As to the normal training class, the Superintendent of Public Instruction specifies: (1) that students may be admitted only when having at least an average high school standing; (2) that the enrollment must be filed both in the school and in the Department of Public Instruction; and (3) that applicants for enrollment must be approved by the local superintendent of schools and the normal training critic. After the individual enrollments are approved and signed by these two officials they must be sent to the Department of Public Instruction for final approval and filing

¹⁰⁴ *Normal Training High Schools in Iowa*, 1925, pp. 14-17.

in the Department by the Inspector of Normal Training High Schools. No student may enter the normal training course without permission of the local superintendent of schools, the critic, and the Department of Public Instruction. The Superintendent of Public Instruction also prescribes the course of study which the high school student must follow the first two years of his high school course in preparation for the normal training course, the course of study for the last two years of the normal training student's high school course, and a course of study for post-graduates taking the normal training course.¹⁰⁵ Relative to professional training, the Superintendent of Public Instruction designates the nature and amount of professional work and practice teaching as well as the observation of teaching to be done by the normal training students.¹⁰⁶

HERBERT CLARE COOK

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS
AMES IOWA

¹⁰⁵ *Normal Training High Schools in Iowa*, 1925, pp. 18-21; *Normal Training High Schools in Iowa*, Circular No. 2, 1928.

¹⁰⁶ *Normal Training High Schools in Iowa*, Circular No. 2, 1928, pp. 10-12.

SOME PUBLICATIONS

The Life of George Rogers Clark. By James Alton James. Chicago: The University of Chicago Press. 1928. Pp. 534. Plates, maps. The sesquicentennial of the exploits of George Rogers Clark created a demand for an adequate biography of the man who "won the Old Northwest". *The Life of George Rogers Clark*, by Professor James A. James of Northwestern University, fills this need. The book is written in an unbiased attitude and it affords the reader an interpretation of the real Clark; moreover it tells in full the story of Clark's early triumphs and his later disappointments. The book by Professor James is more than a biography—it is a history of the Revolution in the West and the years of adjustment thereafter. The volume is the product of ripe scholarship. Some twenty years ago the author began to collect material on this subject. He edited the *Papers of George Rogers Clark* for the Illinois State Historical Library; and from time to time he produced essays on various phases of his main theme. The results of his painstaking research are clearly revealed in the biography. Professor James has written an excellent life of George Rogers Clark. It is scholarly and interesting.

A-Rafting on the Mississip'. By Charles Edward Russell. New York: The Century Co. 1928. Pp. 357. Plates. In this volume, Mr. Russell, an Iowan, has presented a vivid picture of the old logging, rafting, and lumber days on the Mississippi River. The author brought to his task a love for the river instilled in his mind by boyhood days spent along the waterfront of this classic stream. Personal knowledge of the days of the river traffic has been reinforced by wide reading and study of source materials dealing with the subject. In his prefatory note, Mr. Russell pays tribute to George Byron Merrick, A. D. Summers, Captain Fred A. Bill, and J. W. Murphy, editor of *The Burlington Post*, who have done much to preserve the annals of the Father of Waters. The author has used as the basis of several chapters such material as the remin-

iscences and adventures of old rivermen including Captain J. W. Darragh, Governor Sam Van Sant, Captain E. E. Heerman, Captain E. H. Thomas, Captain George Winans, Captain Stephen Hanks, and many others. The book is a valuable addition to the literature on the Mississippi. The publisher has made a book attractive in appearance and illustrated with rare old prints.

A Journal of the Birmingham Emigrating Company. By Leander V. Loomis. Edited by Edgar M. Ledyard. Salt Lake City: Legal Printing Company. 1928. Pp. 198. Maps, plates. This volume is the record of a trip from Birmingham, Iowa, to Sacramento, California, made by a company consisting of twenty-five men, four women, and one child in 1850. The *Journal* was kept by Leander V. Loomis who was an intelligent, energetic, and observing young man. The account gives an accurate and unbiased recital of the events that befell the company along the way. Although the language is simple and homely, the journalist succeeds in bringing before the reader a clear cut picture of the members of the party, the Indian tribes encountered on the way, the old trading posts, the wild game, hardships of the road, points of scenic interest, and the encampments. In an *Introduction* to the volume J. Cecil Alter declares that this "is one of the best overland narratives I have seen." The editor has enriched the narrative with voluminous footnotes, and a wealth of pictures illuminate the text and identify places along the way. A well executed map enables the reader to follow the route of the emigrants.

An Iowa Farmer Abroad. By Otha D. Wearin. Des Moines: Homestead Publishing Co. 1928. Pp. 157. Plates. The author of this book is a practical farmer in Iowa, and a member of the General Assembly. In this volume, he tells of his experiences on an extensive tour through England, Ireland, Belgium, Holland, Denmark, Germany, Switzerland, Italy, France, and the Island of Guernsey. His observations are presented "from the standpoint of a farmer seeking knowledge and experience of value that could be applied to practice in America." The author shows that agriculture and its problems are international in scope. While he does not believe that the European system of agriculture would

be practicable in the United States, he does feel that American farmers might follow with profit such things as organization, co-operation, marketing, intensive cultivation, and arrangement of improvements which have proved their worth in Europe. The book is written in a pleasing style, and is illustrated with pictures taken by the author. It is printed and bound in a very attractive manner.

The *Annual Report of The Smithsonian Institution* for 1927 has recently been published and distributed.

Some Present-Day Problems is the title of Volume XIII of the *Journal of The National Institute of Social Sciences*.

Volume CXXXX of *The Annals of The American Academy of Political and Social Science* is devoted to a study of *The American Negro*.

Sauk Tales, by Alanson Skinner, form an important contribution to *The Journal of American Folk-lore* for January-March, 1928.

The *Yearbook of Agriculture 1927* has been issued by the United States Department of Agriculture. Nelson Antrim Crawford, an Iowan, edited the volume.

The Credit Situation, an address by George E. Roberts, vice-president of The National City Bank of New York, has been printed in pamphlet form.

The New York Historical Society has published the *Letter Book of John Watts, Merchant and Councillor of New York*. The letters cover the period from January 1, 1762, to December 22, 1765.

A monograph, *Notes on Excavations in the Aztec Ruin*, by Earl H. Morris, has been published in the *Anthropological Papers of The American Museum of Natural History*.

Americanizing American History, by Dixon Ryan Fox, is a leading article in the January number of *History*, the quarterly journal of the Historical Association of England.

A study entitled *Congressional Investigating Committees*, by Marshall Edward Dimock, has been published in the *Johns Hopkins University Studies in Historical and Political Science*.

The *Papers and Proceedings of the Forty-first Annual Meeting of the American Economic Association*, held at Chicago in December, 1928, have been published as a *Supplement* to *The American Economic Review* for March.

A valuable study entitled *Notes on the Buffalo-Head Dance of the Thunder Gens of the Fox Indians*, by Truman Michelson, has been published as Bulletin 87 of the Bureau of American Ethnology of the Smithsonian Institution.

The History of Great Barrington, by Charles J. Taylor, has been published by the town of Great Barrington, Massachusetts. Part II of the history, extending from 1882 to 1922, was written by George Edwin MacLean, former president of the State University of Iowa.

The first number of *Social Science Abstracts* has come from the press. Number 1 of Volume 1 appears as the March issue of 1929. There will be twelve numbers during 1929, followed by an annual index. Number 1 of Volume II will appear as the January issue of 1930.

Under the title, *The Preservation of Peace*, a series of addresses and papers presented at the annual meeting of the Academy of Political Science in New York City on November 23, 1928, has been published in the first issue of the *Proceedings of the Academy of Political Science* for 1929.

German Governmental Influence on Foreign Investments, 1871-1915, by Walter H. C. Laves; and *Missionaries and Politics in China—The Taiping Rebellion*, by John B. Littell, are two articles of historical importance in the *Political Science Quarterly* for December, 1928.

Perspectives in Political Science, 1903-1928, by Jesse S. Reeves; *Campaign Expenditures*, by Edward M. Sait; *America's Rôle in the League of Nations*, by Manley O. Hudson; and *Administrative*

Law and the Constitution, by Marvin B. Rosenberry, are four leading contributions to *The American Political Science Review* for February.

A monograph entitled *The Bureau of Engraving and Printing Its History, Activities and Organization*, by Laurence F. Schmeckebier, has been published as No. 56 in the *Service Monographs* of the United States Government. This study was prepared under the auspices of the Institute for Government Research of The Brookings Institution.

The Ecclesiastical Status of New Mexico (1680-1875), by Sister M. Ramona; and *Louis Philippe's Donations to the Old Cathedral of Bardstown*, by Henry S. Spalding, S. J., are two articles in *The Catholic Historical Review* for January which are of particular interest to mid-western readers.

The New Crusade, by James H. Breasted; *The Pact of Osborne*, by Thad W. Riker; and *The Economic Background of the Liberty Party*, by Julian P. Bretz, are the principal articles in *The American Historical Review* for January. The *Diary of José Bernardo Gutiérrez de Lara, 1811-1812*, contributed by Elizabeth H. West, is included under *Documents*.

Three articles in *The Canadian Historical Review* for December, 1928, are of particular interest to historians of the Mississippi Valley. These are: *La Vérendrye: Commandant, Fur-trader, and Explorer*, by A. S. Morton; *Selkirk's Work in Canada: An Early Chapter*, by Helen I. Cowan; and *Canadian Migration in the Forties*, by Frances Morehouse.

The Journal of Negro History for January contains the *Proceedings of the Annual Meeting of the Association for the Study of Negro Life and History Held in St. Louis, Missouri, October 21 to 25, 1928*. *Cultural Opportunities through Race Contacts*, by Donald R. Taft; *Documentary Evidence of the Relations of Negroes and Indians*, by James Hugo Johnston; and *Carpet-baggers*, by Sophia A. Walker, comprise the papers and articles in this number.

The *Supplement to the Annual Report of the American Historical Association for the Year 1924* containing *Writings on American History* for 1924 has been published and distributed. This volume is another of the valuable compilations by Grace Gardner Griffin. It contains a bibliography of books and articles on United States and Canadian history published during the year 1924 with some memoranda on other portions of America.

The Origins of the South Sea Company, by William Thomas Morgan; *José Bonifacio, the Neglected Father of His Country, Brazil*, by Paul Vanorden Shaw; *A Survey of British Policy in the Fashoda Crisis*, by T. W. Riker; *Colonel House's Story*, by David S. Muzzey; and *A Page of Diplomatic History: Russian Military Leaders and the Problem of Constantinople during the War*, by Michael T. Florinsky, are articles of historical interest in the *Political Science Quarterly* for March.

WESTERN AMERICANA

The *Annual Report of the Historical and Philosophical Society of Ohio* for 1928 has been published and distributed.

Wild Bill—James Butler Hickok, by William E. Connelley, has been reprinted in booklet form from the *Collections of the Kansas State Historical Society*.

An interesting series of sketches on *New Mexico Santos*, by Odd S. Halseth, have appeared in *El Palacio* during January and February.

Party Politics in Ohio, 1840-1850, by Edgar Allen Holt, is the principal contribution in the *Ohio Archaeological and Historical Quarterly* for July, 1928.

Mexican Labor in the United States Imperial Valley, by Paul S. Taylor, has been published in the *University of California Publications in Economics*.

The *Fifth Biennial Report of the Historical Department of the State of Wyoming* has been published. The report was compiled by Mrs. Cyrus Beard, State Historian.

The *Swedish-American Historical Bulletin* for February contains a series of *Documents Relating to Peter Cassel and the Settlement at New Sweden, Iowa*, translated and edited by George M. Stephenson.

The Ancestry of Joseph Smith the Prophet, by Archibald F. Bennett, is an important article in *The Utah Genealogical and Historical Magazine* for January, 1929.

The Minnesota Historical Society has published the first volume of *Minnesota in the War with Germany*, by Franklin F. Holbrook and Livia Appel. A review of this volume will appear in the next number of this magazine.

The Annals of St. Louis and a Brief Account of Its Foundation and Progress 1764-1927, by I. H. Lionberger, has been printed in booklet form and distributed by the Missouri Historical Society at St. Louis.

The Kansas Historical Society and Department of Archives has issued an illustrated booklet dealing with the organization and development of the Society, the men who made it, and the charter, constitution, and statutes under which it operates.

The Neale and McClaughry Mound Groups, by W. C. McKern, has been published as a *Bulletin of the Public Museum of the City of Milwaukee*. This bulletin is a comprehensive account of a careful survey of certain mound groups in Wisconsin.

Minute Book A, Jefferson County, Kentucky, 1781-1783, copied for publication by Alvin L. Prichard; and an account of a *Marker Erected on the Site of Old Vienna, Now Calhoun, McLean County*, by Nancy Lampton Allen, are the principal contributions in *The History Quarterly of The Filson Club* for January.

In a special number of the *Bulletin* of the Lincoln Centennial Association for December, 1928, Paul M. Angle contributes an article under the title, *Atlantic Monthly Lincoln Letters Spurious*. In the regular number for December, Mr. Angle has an article entitled *The Beveridge Lincoln*.

In the *Burton Historical Collection Leaflet* for January, Milo M. Quaife has a sketch of *Pierre Joseph Céloron*, and in the March number, a sketch of *John Askwith*. Both of these sketches are interesting contributions to the *Detroit Biographies* series.

The Route of the Coronado Expedition in Texas, by David Donoghue; *English Abolitionism and the Annexation of Texas*, by Harriet Smither; and *Frontier Journalism in West Texas*, by W. C. Holden, are three articles in the *Southwestern Historical Quarterly* for January.

In anticipation of the George Rogers Clark Sesquicentennial, the Indiana Historical Bureau has issued an attractive booklet entitled *Indiana 1779-1929*. On the title page is a reproduction in color of Hamilton's surrender to Clark on February 25, 1779, as portrayed by Frederick C. Yohn.

The Commonwealth of Indiana, an address delivered by Mrs. Edward Franklin White before the Indiana Federation of Clubs at Indianapolis on October 23, 1928, has been printed as a booklet. The address deals with the history, literature, progress, administration, and products of Indiana.

The *Indiana History Bulletin* for December, 1928, is designated as the *State Library Number*. The number for January contains a review of the *George Rogers Clark Movement*. The February issue announces the plans for the celebration at Vincennes on February 25, 1929, of the one hundred and fiftieth anniversary of the surrender of Fort Sackville.

The Discovery of New Mexico, by A. F. Bandelier; *Es-Kim-in-zin*, by John P. Clum; *Documents for History of New Mexico Missions*, by France Scholes; *Creation of Jicarilla Reservation*, by Thomas A. Dolan; and the *French Intrusion toward New Mexico in 1695*, by F. W. Hodge, are articles in *The New Mexico Historical Review* for January.

The Location of the Chicago Portage Route of the Seventeenth Century, by Robert Knight and Lucius H. Zeuch, has been published by the Chicago Historical Society. The book is subtitled

"A Paper read before the Chicago Historical Society, May 1, 1923, and later elaborated for publication." The completed study is an excellent piece of local historical investigation.

The Old Pawnee Capitol, by William E. Connelley, has been printed as a booklet by the Kansas State Historical Society. This booklet contains an historical account of the first capitol building of Kansas, the town of Pawnee, the initial sessions of the first Territorial legislature, and a summary of the celebration marking the restoration of the capitol building.

George Englemann, Man of Science, by William G. Bek; *The National Old Trails Road to Lexington*, by B. M. Little; *The Blairs and Fremont*, by William E. Smith; *An Early Missouri Political Feud*, by Roy V. Magers; and *The Great Seal of the State of Missouri*, by Perry S. Rader, comprise the articles and papers in *The Missouri Historical Review* for January.

Mark Twain's Place in American Literature, by Edgar C. Taylor; *Robert E. Lee and the Improvement of the Mississippi River*, by Stella M. Drumm; *Fort Jefferson—the Extreme Western Post of the American Revolution*, by Floyd A. McNeil; and *Some Soldiers of the War of 1812 Buried in Missouri*, by Iona B. Wilson, form the contents of the *Missouri Historical Society Collections* for February.

Early Post Offices of Oklahoma, by Grant Foreman; *The Risks of Army Desertion on the Frontier*, by Joseph B. Thoburn; *Elizabeth Fulton Hester*, by E. McCurdy Bostic; *The Choctaw Academy*, by Carolyn Thomas Foreman; and *Pioneer School Teaching at the Comanche-Kiowa Agency School*, by Joseph Butler, are included in the *Chronicles of Oklahoma* for December, 1928.

L. O. Leonard has an account of *The Judge Grant Home* at Davenport in the January number of the *Rock Island Magazine*. In the number for February, he presents a sketch of *The Charles Buford Home* at Rock Island, and in the March number, an account of *The Sibley Home* at St. Paul, Minnesota. These sketches are included in the *Famous Homes on the Rock Island Lines* series.

What Has the Indian Done to Deserve Misery and Privation at Our Hands? by H. K. Derus, is an account of the condition of Indians still found in Wisconsin in *The Wisconsin Magazine* for January. *When the First Viking Settler Came to Wisconsin*, and *Seventy Years Ago in Wisconsin*, by W. H. Haefs, are two articles of historical interest in the number for February. *The Mission House, Yesterday and Today*, by Elmer F. Herman, appears in the issue for March.

The December, 1928, number of the *Indiana Magazine of History* contains the following articles and papers: *Andrew Hoover Comes to Indiana*, by Mrs. Grace Julian Clark; *The Senatorial Career of Albert J. Beveridge*, by John A. Coffin; *The Wabash and Erie Canal in Wabash County*, by Mrs. Leola Hockett; *The Civil War Diary of Sergeant James Louis Matthews*, edited by Roger C. Hackett; and *A Steamer Trip from Lafayette to Logansport in 1834*.

Minnesota History for December, 1928, contains the following papers and articles: *The Story of Beengwa, Daughter of a Chipewewa Warrior*, by Irving Harlow Hart; *The Sweetman Irish Colony*, by Alice E. Smith; *The "Virginia", The "Clermont" of the Upper Mississippi*, by William J. Petersen; *A Frontier College of the Middle West: Hamline University, 1854-69*, by Hellen D. Asher; and under *Minnesota as Seen by Travellers*, the concluding installment of *An English Visitor of the Civil War Period*.

Superstitions and Ceremonies of Indians of Old Oregon, by John Gill; *Biographical Sketches of the Life of William Henry Rector*, with an introduction by Fred Lockley; *Journal of Captain Charles Bishop of the Ship Ruby*, by T. C. Elliott; the third installment of *The Log of the Lausanne*, by Henry Bridgman Brewer, with notes and comments by John M. Canse; and *Historic Markers*, by Lewis A. McArthur, are the papers and articles in *The Oregon Historical Quarterly* for December, 1928.

The Anglo-Spanish Frontier in the Illinois Country during the American Revolution 1779-1783, by A. P. Nasatir; *Genet's Western Intrigue 1793-1794*, by F. R. Hall; *The Laws in Force in Illi-*

nois Prior to its Statehood, by W. W. Edwards; *Fundamentalism and Modernism in a Pioneer College*, by Charles H. Rammelkamp; *Galena's Memories of General Ulysses S. Grant*, by Florence Gratiot Bale; and *Elizabeth Moore Morris Casey*, by Ella Morris Casey Kretschmar, are the articles in the *Journal of the Illinois State Historical Society* for October, 1928.

Manuel Lisa and his North Dakota Trading Post, by Allen L. Truax; and *Across the Plains in 1863-1865*, the journal of Wm. H. Clandening, form the contents of the *North Dakota Historical Quarterly* for July, 1928. The number for October, 1928, contains the following papers and articles: *Robert Dickson, British Fur Trader on the Upper Mississippi*, by Louis Arthur Tohill; *Magical and Sleight of Hand Performances by the Arikara*, by George F. Will; and a *Biographical Sketch of Henry and Heman Kellogg*, by J. Duane Squires.

Railroads of Michigan Since 1850 by Edmund A. Calkins; *Story of Michigan's Marketing*, by John A. Russell; a continuation of *University of Michigan: Beginnings*, by William A. Spill; *Moses Coit Tyler*, by Thomas Edgar Casady; *Early Years of Adrian College*, by Albert W. Kauffman; *Lansing in the Good Old Seventies*, by Henry A. Haigh, and a continuation of the *History of the Michigan State Federation of Women's Clubs*, by Irma T. Jones, are articles and papers in the winter number of the *Michigan History Magazine*.

The *Washington Historical Quarterly* for January, 1929, contains the following articles and papers: *History of Fisheries in the State of Washington*, by John N. Cobb; *An American Pioneer in Japan*, by Herbert H. Gowen; *How Hawaii Honored Captain Cook, R. N., in 1928*, by Albert P. Taylor; *Sir George Simpson's Place in the History of the "Old Oregon" Country*, by T. C. Elliott; *Experiences of a Packer in Washington Territory Mining Camps During the Sixties*, by James W. Watt; and *Pickering's Journey to Fort Colville in 1841*, by J. Neilson Barry.

The *Wisconsin Magazine of History* for December, 1928, contains the following articles: *The Mission of Jonathan Carver*, by

Louise Phelps Kellogg; a *Biographical Sketch of Edmund Jussen*, by Marie Jussen Monroe; and a continuation of *Pioneer and Political Reminiscences*, by Nils P. Haugen. The *Journal of William Rudolph Smith* is included under *Documents*. In the number for March, Nils P. Haugen continues his *Pioneer and Political Reminiscences*, and William A. Titus contributes an article on *Historic Spots in Wisconsin*. The *Journal of William Rudolph Smith* is also continued in this number.

The Historic Brule, by Louise P. Kellogg; *Effigy Platform Pipe*, by Charles E. Brown; the *Importance of Skeletal Remains in Wisconsin Archeology*, by Alton K. Fisher; *The Reedsburg Cache*, by Milton F. Hulbert; *The Ceramic Repository*, by Carl E. Guthe; *The Importance of Pottery in Wisconsin Archeology*, by W. C. McKern; *The Dickson Mound Builders' Tomb*, by Theodore T. Brown; *Wisconsin Shell Beads*, by Anton Sohrweide; *The Rockford Mound Group*, by Charles E. Brown; and *Family Names of Civilized Indians*, by Vetel Winn, form the contents of *The Wisconsin Archeologist* for October, 1928.

The Mississippi Valley Historical Review for March contains the following articles: *New Light on the Treaty of San Lorenzo: An Essay in Historical Criticism*, by Arthur Preston Whitaker; *James Ford Rhodes: A Study in Historiography*, by Raymond Curtis Miller; *Efforts of the Grange in the Middle West to Control the Price of Farm Machinery, 1870-1880*, by Arthur H. Hirsch; and *A Noble Fragment: Beveridge's Life of Lincoln*, by William E. Barton. Under *Documents* appear *Notes on the Lord Gage Collection of Manuscripts*, by Clarence E. Carter and *A Narrative of the Northwestern Campaign of 1813*, by Stanton Sholes, edited by M. M. Quaife.

A Bibliography of the Laws of Indiana, 1788-1927, by John G. Rauch and Nellie C. Armstrong, has been published by the Historical Bureau of the Indiana Library and Historical Department at Indianapolis. The volume contains an introductory summary of the sovereignty and legislative authority over Indiana followed by sections on *Laws for the Government of the Northwest Territory*,

Laws for the Government of Indiana Territory, and Laws for the Government of the State of Indiana. An Appendix includes the Place and Date of Legislative Sessions, a List of Territorial Judges, and Territorial and State Governors, the Promulgation of the Laws, a List of Authorized and Private Revisions of the Laws, and a List of Special, Local, and Militia Laws.

The Colorado Magazine for January contains an extended account of *The 1928 Archaeological Expedition of the State Historical Society of Colorado*, by Paul S. Martin. *The Founding and Early Years of Grand Junction*, by James H. Rankin; *The First Congressional Election in Colorado (1858)*, by Milo Fellows; *Early Central City Theatricals and Other Reminiscences*, by Hal Sayre; *Thomas Fitzpatrick and the First Indian Agency in Colorado*, by LeRoy R. Hafen; *Karval, Colorado*, by Esther Johnson; *Western Experiences and Colorado Mining Camps*, by Wolfe Londoner; and *The First School in Denver*, by O. J. Goldrick, are articles and papers in the number for March.

Among the articles in *The Louisiana Historical Quarterly* for July, 1928, appear the following: *A Faithful Picture of the Political Situation in New Orleans at the Close of the Last and Beginning of the Present Year, 1807*, with introduction and notes by James E. Winston; *A Visit to Lafitte, Reprinted from the Knickerbocker Magazine, March, 1847*, contributed to the *Quarterly* by Elliot Snow; *More Indian Place Names*, by William A. Read; and continuations of *Documents Concerning Bienville's Lands in Louisiana, 1718-1737*, *Records of the Superior Council of Louisiana*, and an *Index to the Spanish Judicial Records of Louisiana*. The number for October, 1928, presents among other articles the following: *Governor Claiborne and the Public School System of the Territorial Government of Louisiana*, by Stuart Grayson Noble; *Distribution of Land in Louisiana by the Company of the Indies, 1717-1736*, translated by Heloise H. Cruzat; *The Spanish Land Laws of Louisiana*, by Francis P. Burns; *The Rebel Reefer Furls His Last Sail*, by Milledge L. Bonham Jr.; and *A Louisiana Will of the Spanish Era, 1776*, translated by Laura L. Porteous. Addi-

tional chapters on *Records of the Superior Council of Louisiana*, and the *Index to the Spanish Judicial Records of Louisiana* are also included.

IOWANA

A *Course of Study for Elementary Schools* for the State of Iowa has been issued by the Department of Public Instruction.

B. L. Wick has published an interesting biographical sketch of *John McCarthy Pioneer Schoolmaster*. A copy of the booklet has been presented by the author to the State Historical Society.

Proceedings of the Thirty-third Convention of the Iowa District of the Lutheran church have been published in booklet form. The convention was held at Germantown, Iowa, from August 22 to 28, 1928.

What O'clock is it—A Study in Civilization, a paper read by George Cosson, former Attorney General of Iowa, before The Prairie Club of Des Moines, has been published in pamphlet form.

Cedar Rapids Collegiate Institute and Its Founders, 1853-1866, by Erik McKinley Eriksson, has been published by Coe College at Cedar Rapids. Professor Eriksson has written an interesting and scholarly account of the beginnings of Coe College.

When Cedar Falls Was Young, by Roger Leavitt, has been published in booklet form by the Record Press of Cedar Falls. The author is a son of Black Hawk County pioneers, and was formerly a member of the State Board of Education. He has succeeded in compiling an interesting and a valuable sketch of early days at Cedar Falls.

The Bureau of Labor of Iowa has issued a *Directory of Manufacturing Establishments*. This volume is a careful compilation of establishments and classified industries up to the close of 1927. Material for this volume was compiled under the direction of A. L. Urick, Commissioner of the Bureau of Labor.

Former students of Dean Carl E. Seashore of the State University of Iowa have published a commemorative volume of studies in

psychology as an expression of appreciation of his work. Dean Seashore has completed thirty years of service as a member of the faculty of the State University and twenty years as Dean of the Graduate College. The *Seashore Commemorative Volume* is Number XII in the *University of Iowa Studies in Psychology*.

Survey of the Iowa-Minnesota Boundary Line, compiled from original documents; *Scientific Achievements of Frank Springer*, by Charles Keyes; *Foreign World War Posters*; *Bonds of the State of Iowa*, by Cassius C. Stiles; *Anecdotes of Early Life in Indiana*, by Nathan W. Macy; and the *History of the Rebel Muster Roll Captured at Pine Bluff, Arkansas*, by William H. Craven, form part of the contents of the *Annals of Iowa* for January.

A new monthly magazine, *The Iowa Publisher and Bulletin of the Iowa Press Association*, made its appearance in January. The magazine will have as its sponsors the Iowa Press Association, the University of Iowa School of Journalism, and the Department of Technical Journalism of Iowa State College. Its editorial policy will be directed by Fred J. Lazell, former editor of the *Iowa Journalist*; Grant L. Caswell, Managing Director of the Iowa Press Association; Blair Converse, Head of the Department of Journalism at Ames; W. C. Jarnagin, President of the Iowa Press Association; and Frank L. Mott, Director of the School of Journalism, University of Iowa. In addition to articles of a technical nature, the new magazine will also present material on the history of Iowa journalism. For example, Fred J. Lazell has a sketch of *Samuel Mercer Clark of the Keokuk Gate City* in the February number; and Arthur Francis Allen contributes an account of *George Douglas Perkins of the Sioux City Journal* in the issue for March. These biographical sketches appear under the heading, *Pioneers Who Brought Renown to Editorial Chairs of Iowa Newspapers*.

SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Aldrich, Mrs. Bess Streeter,
The Man Who Dreaded to Go Home. Boston: W. H. Baker
and Company. 1928.

- Ames, Edward Scribner,
Religion. New York: Henry Holt and Company. 1929.
- Austin, Anne,
Black Pigeon. New York: Greenberg Publisher. 1929.
- Bauer, George Neander,
Freshman Mathematics Preparatory to Statistics and Finances. New York: The Macmillan Company. 1929.
- Beer, Thomas,
Honor (The Saturday Evening Post, January 5, 1929).
Love (The Saturday Evening Post, December 15, 1928).
- Betts, George Herbert,
Beliefs of 700 Ministers. New York: The Abingdon Press. 1929.
- Bordwell, Percy,
The Statute Law of Wills (Iowa Law Review, December, 1928, February, 1929).
- Branch, E. Douglas,
The Hunting of the Buffalo. New York: D. Appleton and Company. 1929.
- Brigham, Johnson,
Round the World with Friend Shakespeare (Libraries, February, 1929).
- Brindley, John E. (Joint author),
The Tax System of Iowa (Extension Bulletin). Ames: Iowa State College. 1929.
- Brueckner, Leo J. (Joint author),
Measurement of the Effect of the Teaching of Recreational Reading (Elementary School Journal, October, 1928).
- Brueckner, Leo J. (and others),
The Triangle Arithmetics. Philadelphia: The John C. Winston Company. 1928.

Butler, Ellis Parker,

Egbert the First (The American Magazine, January, 1929).

Gnat (The American Magazine, February, 1929).

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- Old cemeteries on Middle River, by Arthur Goshorn, in the *Winterset News*, January 10, 1929.
- Abraham Lincoln's farm in Tama County, in the *Keosauqua Republican*, January 10, 1929, and the *Fairfield Ledger*, January 12, 1929.
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- Famous river pilots, by Malcolm MacKinnon, in the *Davenport Democrat*, January 14, 1929.
- The blizzard of 1873, in the *Estherville Vindicator and Republican*, January 16, the *Sibley Tribune* and the *Spirit Lake Beacon*, January 24, the *Ocheyedan Arrow*, January 31, the *Graettinger Times*, February 7, and the *Titonka Topic*, February 8, 1929.
- How Pocahontas County impressed early settlers, in the *Pocahontas Record*, January 17, 1929.
- Early history of Ocheyedan, in the *Ocheyedan Arrow*, January 17, 24, 1929.
- When the Keokuk Boat Club won a famous race in 1881, in the *Keokuk Citizen*, January 18, 1929.
- A short sketch of the early history of Page County, in the *Essex Independent*, January 18, 1929.
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- The Indian cave at Waterville, by Ellison Orr, in the *Waukon Republican and Standard*, January 23, 1929.

The old Twelve Mile House on the military road, in the *Clinton Herald*, January 23, 1929.

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The Bremer County fair in 1875, in the *Waverly Independent-Republican*, January 24, 1929.

Reminiscences of the county seat fight in 1880, in the *Grundy Register*, January 24, 1929.

Pioneer memories, by Mrs. L. V. Landphear, in the *Lamoni Chronicle*, January 24, 1929.

An evening party in 1881 near old Dresden, in the *Grinnell Herald*, January 25, 1929.

Memoirs of Capt. Sam Van Sant, in the *Burlington Post*, January 26, 1929.

Early steamboating on the Des Moines River, by Captain C. H. Patten, in the *Burlington Post*, January 26, 1929.

Old days in Iowa, by Leslie E. Francis, in the *Estherville Vindicator and Republican*, January 30, 1929.

Early history of Fayette County, in the *Fayette Leader*, January 31, February 7, 14, 21, 1929.

Bicycle races in 1897, in the *Keokuk Citizen*, February 1, 1929.

Preliminary memoirs of Captain Walter Blair, in the *Burlington Post*, February 2, 1929.

Iowa fifty years ago, by C. E. Crow, reprinted from the *Massena Echo*, in the *Atlantic News-Telegraph*, February 5, 1929.

Recollections of early Iowa County history, by Milo P. Smith, in the *Marengo Republican*, February 7, 1929.

Brooklyn men in Company H of the Twenty-eighth Iowa Infantry, in the *Brooklyn Chronicle*, February 7, 1929.

When 3000 Keokuk people signed a temperance pledge, in the *Keokuk Citizen*, February 8, 1929.

Early history of Monmouth, Iowa, in the *Clinton Herald*, February 11, 1929.

Early settler of Osceola County and the boodlers, in the *Ocheye-dan Arrow*, February 14, 21, 1929.

Reminiscences of pioneer days, in the *Manchester Press*, February 14, 1929.

History of the Singmaster ranch, in the *Washington Journal*, February 15, 1929.

Pioneer days in Tama County, by Janette Stevenson Murray, in the *Waterloo Courier*, February 16, 1929.

An early Welsh settlement in Iowa, by Mrs. E. B. Thorne, in the *Dubuque Telegraph-Herald and Times-Journal*, February 17, 1929.

The founding of Colesburg, in the *Dubuque Telegraph-Herald and Times-Journal*, February 17, 1929.

Early history of Appanoose County, by Ira A. Perjue, in the *Centerville Iowegian*, February 19, 1929.

Pioneer days in Dickinson County, in the *Spirit Lake Beacon*, February 28, 1929.

Early history of Eagle Grove, by H. W. Barnes, in the *Eagle Grove Eagle*, February 28, 1929.

THE STATE HISTORICAL SOCIETY OF IOWA

A copy of *The Joys and Sorrows of a Book Collector*, by Luther A. Brewer, has been presented to the State Historical Society by The Torch Press.

Dramatic scenes in the early history of Iowa were described by Dr. Bruce E. Mahan, Associate Editor of the State Historical Society, at the annual banquet of the Polk County History Club held in Des Moines on February 22, 1929.

Dr. Benj. F. Shambaugh, Superintendent of the State Historical Society, gave an address on Benjamin Franklin before the "Benjamin Franklins" and the Union League Club of Chicago on January 17, 1929. On March 26th, Dr. Shambaugh addressed the State Convention of the Iowa League of Women Voters at Davenport on the subject "Abraham Lincoln".

Professor Charles R. Keyes of Cornell College, director of the State Archeological Survey for the State Historical Society, gave a Baconian lecture at the State University on the evening of February 15, 1929. Dr. Keyes spoke on "Some Methods and Results of the Iowa Archeological Survey".

Dr. Ruth A. Gallaher, Library Research Associate of the State Historical Society, presented two proposed subjects of study at the State Convention of the Iowa League of Women Voters at Davenport on March 27, 1929. One of these subjects was the proposed equal rights amendment to the United States Constitution and the other dealt with suggested changes in the marriage laws of Iowa.

The State Historical Society of Iowa has recently acquired a bound letter book containing the correspondence of William Penn Clarke from 1859 to 1861. The letters reveal intimate glimpses behind the scenes in Iowa politics of that day for Clarke was prominent in the Whig, Free Soil, "Know Nothing", and later the Republican party. In the collection are letters to Abraham Lincoln, Charles Francis Adams, William B. Allison, N. B. Baker, Rush Clark, Salmon P. Chase, James Harlan, W. P. Hepburn, S. J. Kirkwood, John A. Kasson, R. P. Lowe, C. C. Nourse, George G. Wright, and many others.

The following persons have recently been elected to membership in the Society: Dr. C. A. Boice, Washington, Iowa; Mr. J. M. Heald, Nashua, Iowa; Mrs. Ethel G. Inman, Bloomington, Illinois; Mr. Geo. Kalbach, Oskaloosa, Iowa; Mr. W. A. Longnecker, Oskaloosa, Iowa; Rev. J. L. McCorison, Jr., Nashua, Iowa; Dr. George A. May, Des Moines, Iowa; Mr. Herbert W. Mennig, Sheldon, Iowa; Mr. Charles L. Meyerhoff, Villisca, Iowa; Mr. Alfred

N. Scales, Iowa City, Iowa; Mr. Deane W. Trick, Des Moines, Iowa; Miss Marjorie E. White, Olin, Iowa; Mr. Karl Campbell, Oskaloosa, Iowa; Miss Mary Cooper, Des Moines, Iowa; Miss Margaret Dorweiler, Cedar Falls, Iowa; Mr. Hubert H. Hoeltje, Iowa City, Iowa; Mr. Harvey A. Hofer, Sewal, Iowa; Mr. John R. Irwin, Keokuk, Iowa; Mr. J. Leonard Kline, Mason City, Iowa; Mr. H. B. Lewis, Des Moines, Iowa; Mr. John R. Loomis, Red Oak, Iowa; Miss Nelle M. Martin, Cedar Rapids, Iowa; Mr. H. E. Shartle, Ruthven, Iowa; Mrs. Walter L. Stewart, Des Moines, Iowa; Mrs. Emma Vontrees, Callender, Iowa; Mr. Robert C. Wilson, Springville, Iowa; Mr. James S. Beddie, Fayette, Iowa; Mr. W. M. Dean, Lake View, Iowa; Mr. J. A. King, Spencer, Iowa; Mr. Paul E. Raymond, Iowa City, Iowa; Mr. Fred A. Seeman, Rockwell City, Iowa; Mr. Minard W. Stout, Cedar Falls, Iowa; Mr. Harry Thiessen, Lake View, Iowa; and Mrs. C. W. Zeilman, Lake View, Iowa.

HISTORICAL ACTIVITIES

The annual meeting of members and directors of the Oklahoma Historical Society was held at the State Capitol in Oklahoma City on January 23, 1929. C. Ross Hume gave an address on "The Caddo Indians".

The archaeological Institute of America held its annual meeting in New York City from December 28 to 31, 1928. Ralph Van Deman Magoffin of New York University was elected president. The program included papers dealing with many aspects of archaeology.

At a meeting of the Board of Directors of the State Historical Society of Colorado in January, the following officers were elected: Henry A. Dubbs, president; Ernest Morris, first vice president; A. J. Fynn, second vice president; Ralph Hartzell, secretary; and E. W. Robinson, treasurer.

The Missouri Historical Society held a public meeting at the Jefferson Memorial on February 15, 1929, at which Dr. James A. James gave an address on "George Rogers Clark, Citizen". Luther Ely Smith, who has been appointed by President Coolidge a member of the George Rogers Clark Sesqui-centennial National Commission, presided at the meeting.

The Minnesota Historical Society held its eightieth annual meeting at Minneapolis and St. Paul on January 21, 1929. Herbert Heaton, Professor of History in the University of Minnesota, delivered the annual address on "The Development of New Countries—Some Comparisons." The Society plans to hold its eighth annual convention at Hutchinson on June 14 and 15, 1929.

The twenty-second annual meeting of the Mississippi Valley Historical Association will be held at Vincennes, Indiana, on April 25 to 27, 1929. Professor Fred A. Shannon, chairman of the program committee, has arranged one session on "Internal Improve-

ments and Transportation to 1860", one on "The Old South", one on "The Old Northwest", and another on "George Rogers Clark and the Revolution in the West." In addition one evening will be given over to the presidential address of President Charles W. Ramsdell, and one session will be devoted to the Teachers' Section.

On February 25, 1929, a notable celebration in commemoration of the one hundred and fiftieth anniversary of the capture of Fort Sackville by George Rogers Clark was held at Vincennes. One feature of the program was a pageant directed by Thomas Wood Stevens in which three episodes in the life of Clark were reproduced — Clark receiving his commission in Richmond, Virginia, at the hands of Patrick Henry; the capture of Kaskaskia; and the attack upon Fort Sackville. Commemorative addresses were made by Governor Harry G. Leslie of Indiana and by Dean James A. James of Northwestern University, author of the recent *Life of George Rogers Clark*.

IOWA

The Marshall County Historical Society enjoyed an evening of historical readings and dances in costume on January 15, 1929. At the annual meeting on March 12th, the following officers were reelected: F. G. Pierce, president; Albert Beane, vice president; Miss Susan Sower, secretary; Mrs. Minnie J. Pendleton, treasurer; and Mrs. Annie Sellers, curator. Following the election of officers an old time program of music and declamations was presented by members of the society.

At the December meeting of the Howard County Historical Society, Mrs. Alma Glass presented an interesting paper on the "Organization of Iowa". The following officers were elected at the annual meeting held on March 12th: Mrs. Alma Glass, president; W. H. Tillson, vice president; C. J. Harlan, secretary; J. H. Howe, treasurer; Mrs. C. E. Farnsworth, curator; T. J. Gibbons, custodian; directors, William Kellow, John Murtha, J. N. Smith, and Mrs. J. I. Rowlee. At this meeting Mr. Tillson gave a talk on the history of money.

The Iowa Catholic Historical Society, recently founded, launched

a State-wide membership campaign the first week in February. The Society was incorporated in March, 1928, at Dubuque. The Society plans to collect books, pamphlets, letters, manuscripts, relics, and pictures relating to the Catholic history of Iowa. The Society also plans to record the lives of the early missionaries in Iowa, to encourage research in the field of Catholic history, and to publish the results of such research in a journal to be established. Archbishop James J. Keane of Dubuque is the honorary president of the Society.

The Madison County Historical Society celebrated its silver anniversary on March 5, 1929, with programs both in the afternoon and evening. H. A. Mueller, president of the society, presided. E. R. Harlan, Curator of the Historical, Memorial and Art Department of Iowa and T. H. Stone of Eldora, a charter member of the Society gave the principal addresses. Mr. Harlan spoke at the afternoon session on "Land Surveys"; and Mr. Stone at the evening session reviewed the progress made since the society was organized in 1904. The following officers were elected: H. A. Mueller, president; W. S. Cooper, vice president; E. R. Zeller, secretary; and Agnes McNamara, treasurer. The directors elected were: S. A. Hays, R. S. Cooper, H. G. Tidrick, and W. F. Craig.

The ninth annual conference for teachers of history and other social studies was held at the State University of Iowa on February 1 and 2, 1929, under the auspices of the Department of History and the Extension Division. Dr. Edward P. Cheney of the University of Pennsylvania, Professor Carl L. Becker of Cornell University, Professor John L. Conger of Knox College, Laura F. Ullrich of Winnetka, Burr W. Phillips of the University of Wisconsin, Elmer Ellis of the North Dakota State Teachers College, and Professor A. C. Krey of the University of Minnesota were speakers from outside the State. Professors Winfred T. Root, George G. Andrews, Forest C. Ensign, and Ernest Horn of the University of Iowa were local speakers at the conference.

NOTES AND COMMENT

Dr. W. I. Brandt of the Department of History of the State University of Iowa has become an associate editor of *Social Science Abstracts*.

This year marks the fiftieth anniversary of the founding of Lamoni, Iowa, by a group of men of the Reorganized Church of Jesus Christ of Latter Day Saints.

The Pilgrim Chapter, Daughters of the American Revolution, plan to place a suitable marker on the site of the birthplace of President Herbert Hoover at West Branch.

The twenty-first annual session of the Pioneer Lawmakers Association was held at Des Moines on February 13 and 14, 1929. Several former members of the General Assembly related interesting episodes about their experience as legislators.

Addison P. Munroe of Providence, R. I., governor general of the General Society of Mayflower Descendants, was the speaker at a meeting of the Iowa Society of Mayflower Descendants held at Ames during the last week in February. Mrs. Louis B. Schmidt, deputy governor general of Iowa, presided at the meeting.

The Polk County Pioneers' Club held its thirty-fifth annual banquet and program at the Hotel Fort Des Moines on January 26, 1929. Professor B. Shimek gave an address on "Early Pioneer Life in Iowa" and Charles N. Denman spoke of "Early Des Moines Scenes". The officers of the association are W. O. Finkbine, president; Joel Tuttle, vice president; and Guy M. Brandt, secretary-treasurer.

An act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives was passed by the House of Representatives on February 25th and on February 26th the Senate concurred. President Coolidge

signed the bill on February 28th. This action has been urged for some time by the States whose papers are involved.

Algona citizens are planning a three day celebration, July 14, 15, and 16, in commemoration of the diamond jubilee of the founding of the city. As a part of the celebration the Ambrose A. Call State Park will be officially dedicated. Harvey Ingham has prepared a manuscript on the "Days of 54" which will be published as a souvenir booklet of the occasion. A pageant depicting episodes in the history of Algona will form a prominent feature of the celebration.

Louis George Koch, a life member of the State Historical Society, died on January 27, 1929, at the age of ninety. He was born in Wiesloch, Baden, on April 25, 1838. His parents joined the "Inspirationists" in the spring of 1839 and emigrated to Middle Ebenezer in New York in 1843. From there they removed to Middle Amana in 1863. For over forty years Mr. Koch taught in the schools of the community and between times worked at his trade as printer.

Father Thomas J. McCarty, rector of the Epiphany Cathedral at Sioux City, has contributed to the State Historical Society a copy of an interesting record of a trip made by Father C. Hoecken from Council Bluffs to the present site of Sioux City in 1850. The record shows that Father Hoecken baptized fourteen persons in the little settlement on that occasion. These were the children of the few Frenchmen and their Indian wives then living in the vicinity. The record was discovered by Gertrude Henderson, a local historian, in her research into the life and work of Father De Smet, the noted missionary to the Pottawattamies.

Additional information in regard to the creation of the Guthrie County Tract State Park has been furnished the State Historical Society by R. A. Stacey, editor of *The Guthrian* at Guthrie Center. Mr. Stacey credits Dr. L. H. Pammel with the suggestion that a State park should be created in Guthrie County. The editor endorsed the idea in a news story in *The Guthrian* and invited Dr. Pammel to visit Guthrie Center to investigate the proposed tract.

Dr. R. F. Wolfe and Mr. Stacey accompanied Professor Pammel on his tour of inspection. After this tour Mr. Stacey took up the matter with the Guthrie Center Rotary Club and a committee consisting of R. A. Stacey, chairman, Dr. R. F. Wolfe, and O. G. Hamilton, was appointed to promote the project. Other committees were appointed and an active campaign was launched to raise funds to purchase the land for a park. The Rotary Club assumed the task of raising about \$3000, and the State Board of Conservation contributed some \$2000 required for the purchase of the land. An effort is being made to induce the State Highway Commission to route Primary Road Number 25 straight north and south across Guthrie County so as to have a main highway near the park. Plans are also under way to make many improvements in this park, one of nature's beauty spots in Iowa.

CONTRIBUTORS

DOROTHY SCHAFFTER, Instructor in the Department of Political Science at the State University of Iowa. (See *THE IOWA JOURNAL OF HISTORY AND POLITICS*, October, 1927, p. 652.)

CHAS. M. MEYERS, Graduate Student in History and Government at Harvard University. Born in Mason City, Iowa, October 29, 1901. Received his B. A. degree from Grinnell College in 1925, and his M. A. degree from Harvard University in 1926. Professor of American History in the Mason City Junior College, 1927-1928.

HERBERT CLARE COOK, Assistant Professor of Government at Iowa State College, Ames. Born at Durango, Iowa, August 30, 1893. Received the B. A. degree from Iowa State Teachers College in 1922, the M. A. degree from the State University of Iowa in 1925, and the Ph. D. degree from the State University of Iowa in 1926. Came to Iowa State College in 1928.

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THE ADMINISTRATIVE FUNCTIONS OF THE DEPARTMENT OF PUBLIC INSTRUCTION

[This is the final installment of an article on the administrative functions of the Department of Public Instruction in Iowa by H. C. Cook. The first installment appeared in the April number of this magazine.—THE EDITOR]

In the previous installment of this article the writer traced the development of the Department of Public Instruction in Iowa, and discussed the organization of the Department, the administrative powers of the Superintendent of Public Instruction, the power of appointment and removal, and the powers of direction, supervision, and control. Under the latter heading the writer pointed out the relation of the State Superintendent to rural schools, graded and high schools, and normal training high schools. Discussion of the latter subject is continued at this point.

Pertaining to high school grades, examinations, and certificates, the Superintendent of Public Instruction prescribes the rules, regulations, and conditions governing the students in preparation for examination, and requirements for graduation from the normal training department of the high school. Graduation from a normal training department does not, however, entitle the student to teach. He must take an examination prescribed by the State Board of Educational Examiners, but he is exempted from taking examination in certain subjects passed satisfactorily in his normal training course. If a normal training graduate passes the examination prescribed by the State Board of Educational Examiners successfully and is recommended for a normal training teacher's certificate, the Superintendent of Public Instruction issues such certificate.¹⁰⁷

¹⁰⁷ *Normal Training High Schools in Iowa*, Circular No. 2, 1928, pp. 22-30.

DIRECTION SUPERVISION AND CONTROL OF
CONSOLIDATED SCHOOLS

The consolidated school was established in Iowa on April 5, 1906, by the Thirty-first General Assembly, for the purpose of vitalizing the school life of the rural school pupil, and to make it possible for the rural school pupil to get a first class high school education.¹⁰⁸ It is now provided that "Consolidated school corporations containing an area of not less than sixteen government sections of contiguous territory in one or more counties may be organized as independent districts for the purpose of maintaining a consolidated school". Consolidated school corporations may be established and organized independently of the Department of Public Instruction, and they may continue to be independent of the Department of Public Instruction, but they do not usually choose to do this.¹⁰⁹ The consolidated school becomes subject to the supervision and direction of the Department of Public Instruction in the following ways: (1) by preparing to meet the requirements so as to secure State aid as provided for consolidated schools; (2) by preparing to meet the requirements of the Department of Public Instruction for approval and certification as approved high schools eligible to charge tuition; and (3) by maintaining a normal training department in its high school and thereby gaining the benefits of a normal training high school and securing the State aid as provided for such

¹⁰⁸ *Laws of Iowa*, 1906, Ch. 141.

¹⁰⁹ *Code of 1927*, Secs. 4154, 4184; *Biennial Report of the Superintendent of Public Instruction*, 1922-1924, pp. 6, 32. Of the 386 consolidated schools in operation during the school year closing June 30, 1928, none received equipment aid. Three hundred and fifty-one were approved for tuition and State aid. Twenty-four consolidated schools maintained approved normal training departments in their high schools. Six consolidated schools were approved for tuition purposes only. Three of the 386 consolidated schools were approved for tuition and State aid for but two years of high school work, and one was approved for three years of high school work. One of the six con-

schools.¹¹⁰ Consolidated school corporations usually seek to gain the approval of the Department of Public Instruction as a standard high school thereby enabling them to charge tuition and to offer their students the benefits of standard high schools. They also usually attempt to meet the requirements for State aid to consolidated schools.¹¹¹

A consolidated school maintaining an approved normal training department and eligible to receive State aid for approved consolidated schools, may, however, decline such State aid and accept in lieu thereof, State aid as provided for normal training high schools. It can not, however, secure both State aid as granted to consolidated schools and State aid as granted to normal training high schools.¹¹² A consolidated school maintaining a normal training department is under a three-fold responsibility to the Department of Public Instruction. It is subject to the supervision and direction as a consolidated school, as an approved high school, and as a normal training high school; that is, in order to maintain a normal training department, a consolidated school must first meet the requirement of the Department of Public Instruction for approved high schools.¹¹³

Provision is made in the school law for the organization of consolidated school corporations, for the amount of territory for the building of the school plant, and equipping of the same, for the location of the school site, and for the

solidated schools approved for tuition purposes only was approved for but two years of high school work. Three hundred and eighty-one consolidated schools maintained approved four year high schools.—*Biennial Report of the Superintendent of Public Instruction*, 1926-1928, pp. 39-45.

¹¹⁰ *Code of 1927*, Secs. 3899, 3902, 4184, 4275.

¹¹¹ *Biennial Report of the Superintendent of Public Instruction*, 1918-1920, pp. 51, 52.

¹¹² *Code of 1927*, Sec. 4185.

¹¹³ *Normal Training High Schools in Iowa*, 1925, p. 12; *Code of 1927*, Secs. 3899, 4275.

transportation of pupils. But almost all the factors concerning the organization and administration of the consolidated schools are left to the direction and supervision of the Superintendent of Public Instruction.¹¹⁴

In order that a consolidated school may receive State aid and be approved for tuition purposes, it becomes subject to the approval of the Superintendent of Public Instruction relative to the following matters: (1) organization; (2) suitability of grounds; (3) suitability of building and plant; (4) laboratories and equipment for teaching agriculture, home economics and manual training; (5) course of study; (6) agricultural experiment plot; (7) qualified and certificated teachers to teach agriculture, manual training, and home economics; and (8) qualifications of all grade and high school teachers.¹¹⁵

New consolidated schools often face many strange and difficult problems in organization. The chief function of the Department of Public Instruction in assisting these schools is that of holding counsel and advising with their school boards and superintendents, and instructing them in the plan of procedure to be followed.¹¹⁶

The Superintendent of Public Instruction requires any consolidated school wishing to receive State aid to provide a five-acre site. Furthermore, the site selected must be approved by the Department of Public Instruction. The factors taken into consideration by the Inspector of Consolidated Schools in approving a school plot are: (1) an area of not less than one acre for agricultural purposes; (2) sufficient space for segregated and properly located play

¹¹⁴ *Code of 1927*, Secs. 4154, 4179.

¹¹⁵ *Iowa's Consolidated Schools*, 1922, p. 6; Annual Report Cards for Consolidated Schools as supplied by the Department of Public Instruction.

¹¹⁶ *Biennial Report of the Superintendent of Public Instruction*, 1920-1922, p. 46.

grounds; (3) parking area; and (4) landscaped area in the foreground of the school plot.¹¹⁷

A consolidated school building to be approved by the Department of Public Instruction must meet the specifications of the Department relative to ventilation, heating, lighting, and janitorial care.¹¹⁸

The Department of Public Instruction makes specifications, rules, and regulations relative to the personal and professional qualifications, training, and experience of the superintendent, high school teachers, grade teachers, and special teachers of the consolidated schools. For example, the Department of Public Instruction requires the superintendent to be a high school graduate, also a college graduate or the equivalent of a college graduate, to possess an Iowa State certificate, and to have had at least two years of teaching experience. High school teachers must have completed at least two years of training in an approved college. At least one-half of the high school teachers in any high school must have completed four years of training in an approved college. Grade teachers must be high school graduates, must have had at least twelve weeks' training in an approved college, and they must possess proper certificates as specified by the Department of Public Instruction. The Department of Public Instruction also specifies the minimum training for the teachers of agriculture, home economics, normal training, and physical training.¹¹⁹ The supervision and direction of consolidated schools is made effective through inspection by the Inspector of Consolidated Schools. This inspection by the Department of Public Instruction must be made annually. The Inspector of

¹¹⁷ *Iowa's Consolidated Schools*, 1922, pp. 8, 9.

¹¹⁸ *Iowa's Consolidated Schools*, 1922, pp. 13, 15, 17.

¹¹⁹ *Iowa's Consolidated Schools*, 1922, pp. 18-21; pamphlet of the Department of Public Instruction: *Teacher Qualifications for Approved Schools*, 1924-1925, pp. 2, 3.

Consolidated Schools may visit the schools under his supervision in person and inspect and approve them for State aid, or he may investigate the required annual reports of these schools and approve them. Following the inspection of each consolidated school a detailed report in letter form is addressed to the president of the local board of directors. A copy of this report is also sent to the local superintendent and a copy to the county superintendent of schools. The annual reports made to the Department of Public Instruction by the consolidated schools consist of reports of: (1) teachers' qualifications, training, experience, and certification; (2) transportation; (3) program of study; (4) general equipment; and (5) general statistics. The Inspector of Consolidated Schools may also approve consolidated high schools for one, two, three, or four years of high school work. Information relative to such approval may also be secured by either personal inspection or from the annual reports. Such approval entitles the consolidated school to charge non-resident pupils tuition. When a consolidated school is approved for tuition a certificate of approval is issued to the school by the Department of Public Instruction.¹²⁰

DIRECTION SUPERVISION AND CONTROL OF MINING CAMP SCHOOLS

The Thirty-eighth General Assembly of Iowa appropriated \$50,000 for the biennium beginning July 1, 1919, to be used by the Department of Public Instruction under the direction of the Superintendent of Public Instruction to improve the conditions in mining camp schools. Subsequent General Assemblies have each provided a biennial appro-

¹²⁰ *Biennial Report of the Superintendent of Public Instruction, 1922-1924*, pp. 13, 46-48; documentary material (annual certificate of approval issued by the Department of Public Instruction); letter from the Inspector of Consolidated Schools, dated February 18, 1926; *Code of 1927*, Sec. 4275.

priation of \$100,000 for this work. In addition to this regular State aid fund the Forty-second General Assembly provided for an annual emergency fund of \$10,000. The regular fund of \$50,000 for each year is to be used by the Superintendent of Public Instruction, but "with the approval of the executive council and under its direction". The Superintendent of Public Instruction must first submit a "comprehensive program" to the Executive Council showing the entire proposed expenditure of the appropriation for the year under consideration. The emergency fund of \$10,000 per year is set aside to be disbursed by the Superintendent of Public Instruction only upon the consent of the Executive Council. This fund is allotted to schools only in case of emergency. Any portion of the emergency fund remaining undistributed after April first of each year of the biennium is to be allocated as provided for the regular fund. Thus the powers of direction and supervision of the Superintendent of Public Instruction in connection with mining camp schools are somewhat limited.¹²¹

Mining camp schools are not defined by law. The question of determining what constitutes a mining camp school is solely one of fact and is to be determined by the Superintendent of Public Instruction "with the approval of the Executive Council." The facts and circumstances in each case are to be considered by the Superintendent of Public Instruction "in determining whether or not such school district is in fact one in a mining camp".¹²²

The inspectional and supervisory work carried on by the Department of Public Instruction is under the immediate charge of the Inspector of Mining Camp Schools.¹²³ Defi-

¹²¹ *Laws of Iowa*, 1919, Ch. 373, 1921, Ch. 295, 1925, Ch. 218, p. 223, 1927, Ch. 275, p. 259.

¹²² *Biennial Report of the Attorney General*, 1923-1924, pp. 361, 362.

¹²³ *Biennial Report of the Superintendent of Public Instruction*, 1922-1924, p. 5.

nite rules and regulations governing these schools are not made by the Department of Public Instruction. Mining camp schools are conducted in the same way as other schools, but frequently conditions in the mining camps are such as to demand special supervision and administration.¹²⁴ The Superintendent of Public Instruction distributes the State aid where the school facilities are poorest rather than where the tax levies are highest. This need is found by personal visits and consultations of the Inspector of Mining Camp Schools with the local boards of school directors and the county superintendent of schools. The State aid expended under the direction of the Department of Public Instruction is used for: (1) the erection of buildings and additions; (2) the purchase of schoolroom furniture; (3) painting of schoolrooms; (4) supplies; (5) teachers' salaries; (6) payment of tuition; and (7) the purchase of heating plants.¹²⁵

DIRECTION SUPERVISION AND CONTROL OF JUNIOR COLLEGES

The Forty-second General Assembly in 1927 recognized the public junior college as an expansion of the public school system, and placed the direction and supervision of them under the Department of Public Instruction. Thus the Superintendent of Public Instruction has direct administration over junior colleges and does not exercise control over them by means of financial powers. In regard to the

¹²⁴ Letter from the Inspector of Mining Camp Schools, dated February 13, 1926; *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, p. 66. In many of the mining camps, in order to maintain a school, the district is obliged to tax itself beyond the tax of the surrounding districts, thus making the burden of taxation unequal. The tax levy has ranged from a few mills to 322 mills (Mystic for 1922).—*Biennial Report of the Superintendent of Public Instruction, 1920-1922*, p. 66.

¹²⁵ *Biennial Report of the Superintendent of Public Instruction, 1922-1924*, pp. 13, 14.

public junior colleges it is specified that the Superintendent of Public Instruction "shall prepare and publish from time to time standards for junior colleges, provide adequate inspection for junior colleges, and recommend for accrediting such courses of study offered by junior colleges as may meet the standards determined." The Superintendent of Public Instruction directs the organization of the junior colleges and approves them when they meet the standards established by him, and he personally inspects them.¹²⁶

EXAMINATION AND CERTIFICATION

As president and executive officer of the Board of Educational Examiners, the Superintendent of Public Instruction appoints the time and place for the meetings of the Board and presides over these meetings. He has general direction of the Board's activities and performs the administrative work of the Board, supervising and directing the holding of teachers' examinations, providing for the grading of examination papers, and issuing and signing teachers' certificates.¹²⁷ This work is done in the Department of Public Instruction.

The questions used in the teachers' examinations are furnished and caused to be printed by the Superintendent of Public Instruction. Examinations for teachers' certificates are conducted by county superintendents of schools in the various counties of the State. When the examinations are completed the county superintendent forwards to the Superintendent of Public Instruction a list of all applicants examined with a standing of each in didactics and oral reading, an estimate of each applicant's personality and general fit-

¹²⁶ *Code of 1927*, Sec. 4267-b1; *Biennial Report of the Superintendent of Public Instruction*, 1926-1928, pp. 15, 16; *Public Junior Colleges*, 1928 (Preliminary Bulletin issued by the Superintendent of Public Instruction).

¹²⁷ *Biennial Report of the Superintendent of Public Instruction*, 1920-1922, p. 31.

ness for teaching, and the answer papers written excepting those in didactics.¹²⁸ The manuscripts are read by readers selected by the Board of Educational Examiners from such persons as have the necessary qualifications and experience for doing the work. Certificates are issued by the Board of Educational Examiners to those persons found to be qualified. They are signed by the Superintendent of Public Instruction as President of the Board of Educational Examiners for State certificates, and by the county superintendent of schools in case of "Uniform County Certificates".¹²⁹ The Superintendent of Public Instruction also prepares and supplies questions for the examination of pupils completing the eighth grade in rural schools and fixes the time for such examinations.¹³⁰

NORMAL TRAINING CERTIFICATES

In connection with the certification of persons completing the normal training high school course the Superintendent of Public Instruction exercises almost complete and independent control over certification. The Board of Educational Examiners prescribes the rules and regulations for conducting examinations of candidates for normal training certificates, but the Superintendent of Public Instruction prescribes the regulations governing the examination of those candidates for certificates who have failed in one or more subjects in the regular normal training examinations. The county superintendent of schools in whose county an approved high school maintaining an approved normal training department may be located "shall be designated as the conductor" of the normal training examination. An

¹²⁸ *Code of 1927*, Secs. 3873, 4106.

¹²⁹ *Biennial Report of the Superintendent of Public Instruction, 1922-1924*, pp. 17, 18; *Code of 1927*, Sec. 3859.

¹³⁰ *Code of 1927*, Sec. 3832 (15).

examination for graduation from the normal training course is conducted in each school maintaining the course.¹³¹ If more than one normal training high school is located in a county the county superintendent of schools may secure such assistance as is necessary to aid in giving the examination. It is not expected, however, that he will secure anyone connected with the school to conduct the examination in that school.¹³² When examinations are completed, the preliminary blanks, eligibility reports, and the answer papers in each subject, except pedagogy, for each candidate are sent to the Department of Public Instruction. Credits earned in the normal training course may be submitted and thus free the candidate from examination in certain subjects. For this reason the city superintendent must file a transcript of the candidate's records of grades with the Department of Public Instruction after each semester, not later than five days after the close of the first semester, and not later than three days after the close of the school year. The examination papers are graded under the direction of the Board of Educational Examiners. Returns of examinations are made to the county superintendents for the May and July examinations, and directly to the city superintendents for the January examinations. Original grade sheets and transcripts of high school records are filed in the Department of Public Instruction.¹³³ Normal training certificates valid for two years are issued by the Superintendent of Public Instruction and may be renewed by him for a period of three years.¹³⁴

In addition to these duties as a member of the Board of Educational Examiners, the Superintendent of Public In-

¹³¹ *Code of 1927*, Sec. 3906.

¹³² *Normal Training High Schools in Iowa*, 1925, p. 27.

¹³³ *Normal Training High Schools in Iowa*, 1925, pp. 26, 30, 33, 34, 35.

¹³⁴ *Code of 1927*, Sec. 3910.

struction also makes the annual report for this Board, giving detailed account of all money expended with a list of all those receiving certificates or diplomas. He also certifies to the State Board of Audit the "authorized expenditures of the Board of Educational Examiners", which with the accounts of the Board are published in the Report of the Superintendent of Public Instruction.¹³⁵

VOCATIONAL EDUCATION AND CIVILIAN REHABILITATION

The Vocational Educational Service and Civilian Rehabilitation Service are not directly under the supervision and direction of the Department of Public Instruction. The Superintendent of Public Instruction is, however, *ex officio* chairman and executive officer of the Board for Vocational Education.¹³⁶ By virtue of this fact he is authorized by act of Congress and by the laws of Iowa to be chairman and executive officer of the Board for Civilian Rehabilitation.¹³⁷

As the administrative officer of the Board for Vocational Education, the Superintendent of Public Instruction apparently has little effective power of direction and supervision. He is primarily an executive of the Board; almost all of the actual work of administration is performed by the Director for Vocational Education.¹³⁸ The Superintendent of Public Instruction with the approval of the State Board for Vocational Education appoints the Director of Vocational Education and Civilian Rehabilitation, and the supervisors and assistants in the Departments of Vocational Education and Civilian Rehabilitation. It does not follow, however, that he may exercise effective powers of

¹³⁵ *Code of 1927*, Sec. 3896, 3897.

¹³⁶ *Code of 1927*, Secs. 3838, 3839, 3852.

¹³⁷ *United States Statutes at Large*, Vol. 41, Part 1, Ch. 219, pp. 735, 736; *Code of 1927*, Sec. 3852.

¹³⁸ *Outline of Plans of the Iowa State Board for Vocational Education and Vocational Rehabilitation in Iowa, 1927-1932*, p. 5.

direction and supervision, for these officials appointed by him can not be removed by the individual action of the Superintendent of Public Instruction but only in conjunction with the Board for Vocational Education.¹³⁹

Under the administration of the Board for Vocational Education, day schools, evening schools, and part-time schools are organized and conducted in trade and industrial education and vocational home-making. Although the usual duties of administration are performed by the Board for Vocational Education, the State Department of Public Instruction through its inspectors in coöperation with the Board for Vocational Education and in conjunction with the county superintendent of schools is empowered to require local boards of school corporations maintaining part-time schools to enforce the law regulating the operation of such schools.¹⁴⁰

MISCELLANEOUS DUTIES

The Superintendent of Public Instruction directs and supervises a number of miscellaneous tasks allotted by law to his Department. Thus he may publish and distribute from time to time leaflets and circulars relative to days and occasions which he may deem worthy of special observance in the public schools. He may prepare and distribute to all elementary schools lists of books and texts and an outline on American citizenship for all grades from one to eight inclusive. Furthermore he may direct the preparation of and distribute to all high schools, academies, and institutions ranking as secondary schools, lists of texts and an outline of a course of study in American history, civics of the State and Nation, social problems, and economics. He may prescribe and distribute a manual of practical health

¹³⁹ *Code of 1927*, Secs. 3839, 3853.

¹⁴⁰ *Code of 1927*, Sec. 4297; *Biennial Report of the Superintendent of Public Instruction*, 1924, pp. 21-26.

training for the aid of teachers. Likewise he may prescribe the "reports, both regular and special, which shall be made by public officers, superintendents, teachers, and other persons and officers having custody and control of public school funds or property, and prepare suitable forms and furnish blanks for such reports."¹⁴¹

VII

THE ORDINANCE POWER

Just as the legislative body in State government can not be shut out of all participation in the work of administration so the heads of the State executive departments can not be deprived of all participation in the work of legislation. The head of an executive department could hardly be assigned to the position of a mere executing officer. Such an application of the theory of separation of powers has not usually been accepted and would hardly be desirable. The head of a State executive department may not, however, exercise such law-making functions as the power of veto and of initiating legislation. But he may have the power of issuing orders of more or less general application, or of filling up details in the administrative law. It is in this sense that the Superintendent of Public Instruction may exercise legislative or law-making functions. This power of the Superintendent of Public Instruction to promulgate general rules regulating in detail the execution of the laws is known as ordinance power.¹⁴²

Ordinances issued by administrative authorities are issued under an ordinance power which is either independent or delegated, i. e., ordinance power which the administrative official possesses by constitutional grant and inde-

¹⁴¹ *Code of 1927*, Sec. 3832.

¹⁴² Goodnow's *Comparative Administrative Law*, Vol. I, pp. 27, 28.

pendent of the legislature, or by delegation by the State legislature. Following a general rule of administrative law, the Superintendent of Public Instruction possesses only the latter. The ordinance power of the Superintendent of Public Instruction is further limited due to the fact that he exercises ordinance power, as granted by the legislature, only in specific cases; he does not enjoy general ordinance powers. Furthermore, these ordinances are to be distinguished from ministerial circulars or instructions, sent out from the Department of Public Instruction, which, while general in character like the ordinances, are not like the ordinances binding upon the individual, but in this case, only upon the officials subjected to the direction of the Superintendent of Public Instruction. Such instructions are based on his power of direction.¹⁴³ Thus the Superintendent of Public Instruction has power to make rules and regulations relative to: (1) cases of appeal, (2) the Teachers' Placement Bureau, (3) junior colleges, (4) normal training high schools, (5) approved graded and high schools, (6) consolidated schools, (7) standardized schools, (8) courses of study, and (9) teachers' qualifications and certificates.¹⁴⁴

The ordinary method of control over the exercise of the ordinance power in this instance, it would appear, consists in the power which the courts have, when individuals are brought up before them charged with having violated an ordinance. The purpose for which individuals are thus brought into court is to determine whether the Superintendent of Public Instruction was competent under the law

¹⁴³ Goodnow's *The Principles of the Administrative Law of the United States*, pp. 326-330; *Code of 1927*, Sec. 4106.

¹⁴⁴ *Code of 1927*, Secs. 3832 (19), 3833, 3900, 4184, 4275, 4330; *Standards and Equipment for Approved Graded and High Schools*, 1921; *Normal Training High Schools in Iowa*, 1925; *Regulations for Standardizing Common Schools*, 1923.

to issue the ordinance. In matters where the law contemplates that the administrative official may use discretion in making rules or regulations, the courts have refrained from assuming jurisdiction. Furthermore, it seems hardly to be expected that the courts will interfere on the ground of unreasonableness of an ordinance issued by the Superintendent of Public Instruction, since it is regarded as a matter settled by the legislature in granting ordinance powers.¹⁴⁵

RULES AND REGULATIONS IN CASES OF APPEAL

The Superintendent of Public Instruction has contributed to administrative law. Some of his rules are mandatory, but it appears that the greater part are permissive and advisory in nature.

Rules of Procedure in Appeals.—The Superintendent of Public Instruction has exercised his ordinance power concerning rules of procedure in connection with cases appealed to him by promulgating rules and regulations affecting both the litigants in the cases appealed and the county superintendent of schools from whom the cases are appealed. Thus, for example, the Superintendent of Public Instruction has made rules as follows, the effect in each case being quite obvious: (1) the basis of an appeal is the recorded action of the school board¹⁴⁶; (2) appearance at trial is a complete waiver of notice¹⁴⁷; (3) at a hearing parties interested may appear personally or by attorney, and argue their cases orally if they desire, or they may send written or typewritten arguments¹⁴⁸; (4) the hearings

¹⁴⁵ *Kinzer v. Independent School District*, 129 Iowa 441, at 447.

¹⁴⁶ *School Laws of Iowa*, 1902, Sec. 2819, Note 3, 1925, Decisions, p. 243.

¹⁴⁷ *School Laws of Iowa*, 1925, Decisions, p. 228.

¹⁴⁸ *School Laws of Iowa*, 1915, p. 130, Note 8.

are not to be conducted by rigid adherence to the technical forms and customs which prevail in the courts¹⁴⁹; (5) the regularity of all proceedings leading to appeal "will be presumed upon"¹⁵⁰; (6) testimony to be legal must be based upon the record of evidence introduced¹⁵¹; (7) testimony to be legal must be given under oath¹⁵²; (8) testimony unless obviously immaterial should be admitted and given such weight as it merits¹⁵³; (9) to warrant a re-hearing valid and sufficient reasons must be urged¹⁵⁴; (10) it is not the province of an appeal to discover and correct a slight mistake.¹⁵⁵

Rules and Regulations Affecting the Action of County Superintendents.— Many of the rules and regulations made by the Superintendent of Public Instruction being ministerial have affected the action of the county superintendent in the hearing of cases appealed to him. In this way the Superintendent of Public Instruction is able in a degree to exercise control over the action of this subordinate in school matters. Examples illustrative of this fact follow. (1) An appeal may not be taken to the county superintendent of schools from the decision of a school board that is not final.¹⁵⁶ (2) County superintendents of schools should not express an official opinion upon matters entirely outside of their jurisdiction.¹⁵⁷ (3) The decision of the county super-

¹⁴⁹ *School Laws of Iowa*, 1915, Decisions, p. 39.

¹⁵⁰ *School Laws of Iowa*, 1925, Decisions, p. 228.

¹⁵¹ *School Laws of Iowa*, 1902, Sec. 2819, Note 10.

¹⁵² *School Laws of Iowa*, 1902, Sec. 2819, Note 10.

¹⁵³ *School Laws of Iowa*, 1925, Decisions, p. 192.

¹⁵⁴ *School Laws of Iowa*, 1925, Decisions, pp. 221, 262.

¹⁵⁵ *School Laws of Iowa*, 1925, Decisions, p. 233.

¹⁵⁶ *School Laws of Iowa*, 1915, Decisions, p. 123.

¹⁵⁷ *School Laws of Iowa*, 1902, Sec. 2818, Note 1½.

intendent of schools must be based upon the record of evidence introduced.¹⁵⁸ (4) When the act complained of is of a discretionary character, the action should be sustained by the county superintendent unless it is clearly shown that the board of education violated law, abused its discretion, or acted with manifest injustice.¹⁵⁹ (5) The weight which properly attaches to the discretionary action of a school tribunal vested with original jurisdiction does not apply to the decisions of a county superintendent of schools.¹⁶⁰

Rules and Regulations Affecting Boards of Education.—In deciding cases of appeal involving a consideration of the powers and jurisdiction of the boards of education, the Superintendent of Public Instruction has apparently been very careful in promulgating rules and regulations to guard and extend the discretionary authority of that body. Decisions of the Superintendent of Public Instruction adding to the administrative school law and illustrative of this point are as follows. (1) The action of a board of education can not be reversed upon the allegations of an appellant without proof, or by reason of the board's failure to make defense.¹⁶¹ (2) The acts of a board of education in changing subdistrict boundaries and locating schoolhouses are so much of a discretionary nature that they should be affirmed on appeal, unless it is shown beyond a doubt that there has been an abuse of discretion.¹⁶² (3) The acts of the board of directors must be presumed to be regular, and should be affirmed unless positive proof is brought to show the contrary.¹⁶³ (4) In most matters with which boards of direc-

¹⁵⁸ *School Laws of Iowa*, 1902, Sec. 2819, Note 10.

¹⁵⁹ *School Laws of Iowa*, 1902, Decisions, pp. 37, 48, 51, 56.

¹⁶⁰ *School Laws of Iowa*, 1925, Decisions, p. 208.

¹⁶¹ *School Laws of Iowa*, 1925, Decisions, p. 208.

¹⁶² *School Laws of Iowa*, 1925, Decisions, p. 208.

¹⁶³ *School Laws of Iowa*, 1925, Decisions, p. 210.

tors "have to do under the law, their authority and responsibility are absolute, and their jurisdiction is complete and exclusive."¹⁶⁴ (5) In the determination of appeals, the weight properly attributable to the discretionary actions of a board of directors should be given first consideration.¹⁶⁵ (6) A petition may be used by the electors of a school corporation to bring to the attention of the board of directors the kind of action desired by the petitioners, but a board of directors may act with equal directness without such request.¹⁶⁶

Not every decision of the Superintendent of Public Instruction pertaining to the powers of the board of directors, however, seems so favorable to the position of the board of directors. He has decided that it is mandatory upon the board of directors to put into execution matters voted by the electors and within their control.¹⁶⁷

RULES AND REGULATIONS AFFECTING NORMAL TRAINING HIGH SCHOOLS

The ordinance-making power of the Superintendent of Public Instruction extends to the issuing of rules and regulations governing the several kinds of public schools in the State. His ordinance powers relative to normal training high schools have been extensively exercised, covering practically every detail of the administration of normal training departments in private and denominational schools and public high schools.¹⁶⁸

The rules and regulations in this field are both mandatory and permissive. Many of them are advisory and suggestive in nature. The rules and regulations which are

¹⁶⁴ *School Laws of Iowa*, 1925, Decisions, p. 223.

¹⁶⁵ *School Laws of Iowa*, 1925, Decisions, p. 236.

¹⁶⁶ *School Laws of Iowa*, 1925, Decisions, p. 235.

¹⁶⁷ *School Laws of Iowa*, 1897, Decisions, p. 17.

¹⁶⁸ *Code of 1927*, Ch. 194; *Normal Training High Schools in Iowa*, 1925.

promulgated in this field are made effective largely because of the financial powers of the Superintendent of Public Instruction, for should a normal training high school fail to follow the regulations prescribed, the school not only jeopardizes the status of its normal training department, but also its chances of securing State aid.¹⁶⁹

The rules and regulations issued relative to normal training high schools are concerned with: (1) the organization of normal training departments; (2) the number and qualifications of teachers; (3) the normal training class and students; (4) course of study for the normal training department and of the high school in connection therewith; (5) professional training of normal training students; and (6) examination and certification of normal training students completing the normal training course and planning to teach.

The rules and regulations for the regular normal training examination are issued by the Board of Educational Examiners, but the Superintendent of Public Instruction, independent of this Board, may prescribe the rules and regulations governing any necessary additional examinations.¹⁷⁰

RULES AND REGULATIONS RELATIVE TO APPROVED GRADED AND HIGH SCHOOLS

The rules and regulations issued relative to approved graded and high schools seem to be suggestive, advisory, and discretionary in nature rather than ministerial. They also appear to have grown out of the Superintendent of Public Instruction's power of direction and supervision, rather than solely from his ordinance-making power. The purposes of these rules and regulations are: (1) to secure

¹⁶⁹ *Normal Training High Schools in Iowa*, 1925, pp. 12, 35.

¹⁷⁰ *Normal Training High Schools in Iowa*, 1925, pp. 12-38; *Code of 1927*, Secs. 3906, 3907.

a uniform type of school and to provide standards; (2) to assist local boards of education in maintaining the best type of school justified by local conditions; and (3) to bring about approval of the unapproved schools for tuition purposes.¹⁷¹

The general problems relative to which the Superintendent of Public Instruction issues rules and regulations governing approved graded and high schools are as follows: (1) material and equipment; (2) organization; (3) curriculum; (4) instruction; and (5) school spirit.¹⁷²

RULES AND REGULATIONS RELATIVE TO CONSOLIDATED SCHOOLS

The statutes are quite specific in certain matters relative to consolidated schools if the school is to receive State aid. In addition to the statutory provisions detailed standards are prescribed by the Superintendent of Public Instruction. These standards for the most part are of the nature of administrative rules and regulations, but they appear to be more closely related to the Superintendent of Public Instruction's power of direction than to his ordinance power. These regulations and standards, it is to be observed, are made effective largely through the exercise of his financial powers. They affect only those schools approved by the Department and receiving State aid or desiring to be approved for such. As in other instances of the Superintendent of Public Instruction's rule-making power, some of the rules and regulations concerning consolidated schools are mandatory, but most of them are permissive and advisory. Rules and regulations issued by the Superintendent of Public Instruction for approved graded and high schools, alike,

¹⁷¹ *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, pp. 64, 65.

¹⁷² *Standards and Equipment for Approved Graded and High Schools, 1921*, pp. 5-51.

apply to those consolidated schools which have been approved for tuition.

The chief problems concerning which the Superintendent of Public Instruction has issued rules and regulations for consolidated schools are: (1) school grounds; (2) buildings; (3) agriculture, manual training, and domestic science; (4) superintendents', high school teachers', grade teachers', and special teachers' qualifications, certification, training, and experience; (5) transportation; (6) equipment; and (7) course of study.¹⁷³

RULES AND REGULATIONS RELATIVE TO STANDARDIZED SCHOOLS

The ordinance power of the Superintendent of Public Instruction was extended by the Thirty-eighth General Assembly which enacted a law that the Superintendent of Public Instruction "shall prescribe for standard schools the minimum requirements of teaching, general equipment, heating, ventilation, lighting, seating, water supply, library, care of grounds, fire protection, and such other requirements as he may deem necessary." Under authority of this grant of ordinance power the Superintendent of Public Instruction has provided detailed specifications for rating schools as follows: (1) grounds and outbuildings; (2) schoolhouse; (3) equipment and care of the schoolroom; (4) library and reference books; (5) the teacher; and (6) the school community activities. In addition the Superintendent of Public Instruction has issued an official rating card for Iowa standard schools.¹⁷⁴

¹⁷³ *Iowa's Consolidated Schools*, 1922, pp. 6-25; *Teachers' Qualifications for Approved Schools*, 1924, 1925, pp. 2-6. For additional information on this point see the *Biennial Report of the Superintendent of Public Instruction*, 1922-1924, pp. 12, 13.

¹⁷⁴ *Regulations for Standardizing Common Schools*, 1925, pp. 6-23; *Code of 1927*, Sec. 4330.

VIII

POWERS OF FINANCIAL CONTROL

It was not contemplated by the framers of the Iowa Constitution that the chief State school official should, in any sense of the word, be a financial official, or that he should exercise control of school funds. The principle adopted by the framers of the Constitution is that there should be a separation of financial matters from educational problems. It was provided in the Constitution that the "financial agents of the school funds shall be the same, that by law, receive and control the State and county revenue for other civil purposes".¹⁷⁵ The financial functions of the Superintendent of Public Instruction as provided by the Constitution of 1846 were in connection with school funds derived from the sale of school lands.¹⁷⁶

It was not expected that under the Constitution of 1857, the Superintendent of Public Instruction would exercise control over financial matters, but the Tenth General Assembly in reestablishing the office gave to the Superintendent of Public Instruction a limited authority to control teachers' institute funds.¹⁷⁷ The financial functions that had been handled by the office of Superintendent of Public Instruction prior to the abolishment of the office in 1858 were those concerned with the school land funds, no other school funds then being available. These funds now constitute what is known as the permanent school fund. Prior to 1911 apparently no funds were provided for the purpose of granting aid to schools meeting certain established stand-

¹⁷⁵ *The Debates of the Constitutional Convention of Iowa*, 1857, Vol. II, p. 751; Constitution of Iowa, 1857, Art. IX, Part 2, Sec. 6.

¹⁷⁶ Constitution of Iowa, 1846, Art. X, as found in the *Laws of Iowa*, 1846; *Code of 1851*, Ch. 67.

¹⁷⁷ *Laws of Iowa*, 1864, Ch. 52.

ards. That is, State aid did not play any part in establishing effective supervision of any of the several types of schools in the public school system.

Though there is a difference in the purposes for which each of these funds has been established, the principle involved in the administration of them nevertheless seems to be the same. There now seems to be no very good reason why one group of officials should handle and control the permanent and temporary school funds, and that other funds such as those for State aid to normal training high schools, consolidated schools, and standard schools should be controlled by the Department of Public Instruction. Permanent school funds are, however, handled and controlled by the State and county financial officials.

The financial powers of the Superintendent of Public Instruction in the field of State aid to schools have nearly all grown up since 1911. Prior to that time the extent of his financial control seems to have been limited to the supervision of the "institute fund" which amounted to not more than fifty dollars per year for each county holding a teachers' institute.¹⁷⁸ The financial powers of the Superintendent of Public Instruction have now come to be relatively important. His financial authority, during the biennium ending June 30, 1929, extends to the supervision and control of nearly one-half million dollars annually.¹⁷⁹ During the biennial period ending June 30, 1928, \$916,126.52 was expended for State aid under the supervision of the Department of Public Instruction as compared with \$217,290.61 of the permanent school funds, which was distributed by the regular State and county financial officials.¹⁸⁰ In addition

¹⁷⁸ *Code of 1873*, Sec. 1584; *Code of 1897*, Sec. 2738; *Code of 1927*, Sec. 4469; *Laws of Iowa*, 1911, Ch. 131.

¹⁷⁹ *Laws of Iowa*, 1927, p. 259.

¹⁸⁰ *Biennial Report of the Auditor of State, 1927-1928*, pp. 9, 23, 24, 26, 27.

to the control and distribution of State aids the Superintendent of Public Instruction has the supervision of departmental expenditures for miscellaneous purposes to the extent of approximately \$25,000 for the biennium ending June 30, 1929.¹⁸¹ Thus it is seen that in spite of what the framers of the Constitution intended there has grown up in the Department of Public Instruction a large and important financial function to be performed by the Superintendent. It should also be observed that the school funds distributed by the Superintendent of Public Instruction constitute a large share of the funds distributed by the State and county financial officials.¹⁸² Indeed, there seems to be no good reason why the authority to distribute permanent school funds should not be given to the Superintendent of Public Instruction. These funds might then be distributed on the basis of greatest need and effort. It should be observed too that funds now distributed by the Superintendent of Public Instruction are distributed on the basis of need and effort; but the basis of distribution of the permanent school fund is the school census which does not admit of flexibility.

Bordering closely on control is the supervisory power exercised by the Superintendent in connection with these State aids. It is largely through the granting of State aids that the Superintendent of Public Instruction is enabled to require certain standards for each of the several functions for which State aid is given. The financial power of the Superintendent of Public Instruction in granting State aid now extends to (1) normal training high schools, (2) consolidated schools, (3) standardized schools, (4) mining camp schools, and (5) teachers' institutes.¹⁸³

¹⁸¹ *Laws of Iowa*, 1927, p. 259.

¹⁸² *Biennial Report of the Superintendent of Public Instruction*, 1926-1928, pp. 94-97.

¹⁸³ *Laws of Iowa*, 1927, pp. 258, 259.

Financial Control over Normal Training High Schools.—

The Thirty-fourth General Assembly, in establishing the normal training high school, for the first time made it possible for the Superintendent of Public Instruction to exercise an effective supervisory control over any of the schools of the State. It was provided that each high school approved should receive State aid to the amount of five hundred dollars per annum. In "case more than one high school in any county shall be approved" by the Superintendent of Public Instruction, the total State "aid distributed in such county shall not exceed eight hundred dollars". Furthermore, it was provided that the Superintendent of Public Instruction "shall prescribe the conditions of admission to the normal training classes, the course of instruction, the rules and regulations under which such instruction shall be given and the requirements for graduation". Thus the Superintendent of Public Instruction gained practically complete control of normal training high schools, and this control becomes possible because of his power to withhold approval of the normal training high school for State aid.¹⁸⁴ The Thirty-fifth General Assembly increased the amount of State aid to be granted to each normal training high school to seven hundred and fifty dollars per year, to be paid in two equal installments.¹⁸⁵

Only four-year approved high schools may be approved by the Department of Public Instruction to maintain normal training departments and receive State aid. Private and denominational schools may be approved by the Department of Public Instruction so as to maintain normal training departments, but they can not claim the benefits of State aid.¹⁸⁶

¹⁸⁴ *Laws of Iowa*, 1911, Ch. 131.

¹⁸⁵ *Laws of Iowa*, 1913, Ch. 242.

¹⁸⁶ *Code of 1927*, Secs. 3899, 3901.

The Superintendent of Public Instruction is allowed considerable discretion in approving high schools for the introduction of normal training departments. He may select such high schools for normal training purposes as he deems necessary. The law contemplates that the basis upon which the Superintendent of Public Instruction shall approve a high school for the purpose of establishing a normal training department shall be: (1) the need for trained teachers in a particular community; (2) the need for trained teachers in the State as a whole; and (3) the likelihood of the schools in question keeping up the required standards. Indeed, he may go so far as to discriminate in favor of a consolidated school over a city high school of the same community, even though the city high school may be better fitted to do the work. He may not, however, approve any high school to receive State aid for normal training schools "unless a class of ten or more shall have been organized, maintained, and instructed during the preceding semester" in accordance with the normal training law. A normal training high school may not be deprived of its right to be approved for State aid because of the employment of a teacher properly certified, having had three years' experience and who has once been approved for teaching a normal training school.¹⁸⁷

Each high school now approved by the Department of Public Instruction receives State aid to the amount of seven hundred and fifty dollars per year. The Superintendent of each normal training high school at the close of each semester must file a report of the condition of his school with the Department of Public Instruction, which must be approved by the Superintendent of Public Instruction before State aid can be had. Whereupon, the Superintendent of Public Instruction issues a requisition upon the Auditor of State

¹⁸⁷ *Code of 1927*, Secs. 3899, 3900, 3901, 4337, 4338.

for the amount due the school. The Auditor of State then draws a warrant on the State Treasurer payable to the school in question for the amount of the requisition, and forwards the same to the secretary of the school corporation.

Should there be insufficient funds in the State Treasury to grant State aid to each of the public high schools approved as normal training high schools, the Superintendent of Public Instruction is obliged to *pro-rate* the amount available for distribution to those schools with the expectation that the legislature will then make up the difference by subsequent appropriation. Prior to any distribution of normal training State aid the expenses necessarily incurred by the Department of Public Instruction in inspectional and supervisory service in connection with normal training high schools shall be paid.¹⁸⁸

A consolidated school approved as a normal training high school is ordinarily expected to receive State aid as provided for normal training high schools and not State aid as provided for consolidated schools. Should it be found that the normal training State aid fund is insufficient to give all schools the flat-rate of seven hundred and fifty dollars, the Superintendent of Public Instruction may not distribute any portion of the consolidated school State aid to the consolidated school in question and make up the balance from the normal training State aid. If the question of refusing approval of a high school for normal training privileges should arise solely because of lack of available State aid, the Superintendent of Public Instruction may "classify the schools in such a way as to designate which should be entitled to State aid, even though there should be no distinction between the courses of study in the schools receiving

¹⁸⁸ *Code of 1927*, Secs. 3902, 3903, 3904; *Biennial Report of the Attorney General*, 1923-1924, p. 364, 1925-1926, pp. 128-130.

State aid and in those which do not receive it",¹⁸⁹ In this event it would seem that a consolidated school might be approved as a normal training high school and receive State aid as a consolidated school.

Financial Control over Consolidated Schools.—The Superintendent of Public Instruction was first authorized to exercise financial control over consolidated schools in Iowa by the Thirty-fifth General Assembly in 1913. To that end \$30,000 was appropriated for the period ending June 30, 1914, and \$50,000, "or so much thereof as may be necessary, annually, thereafter for a period of four years." This sum was to be distributed to the various consolidated schools approved by the Department of Public Instruction according to a classification as follows: (1) two room schools, \$250.00 toward the equipment and \$200.00 annually; (2) three room schools, \$350.00 for equipment and \$500.00 annually; and (3) four or more room schools, \$500.00 for equipment and \$750.00 annually.¹⁹⁰ For the school year ending June 30, 1928, three hundred and fifty-one consolidated schools were approved for tuition and State aid, and six were approved for tuition only. Twenty-four consolidated schools now maintain four-year approved normal training departments, sixty-four offer courses in Smith-Hughes vocational agriculture, and twenty-four offer courses in home-making, and are thereby subject to double supervision.¹⁹¹

"All consolidated schools in districts with an area of sixteen or more government sections maintained with suitable

¹⁸⁹ *Biennial Report of the Attorney General, 1913-1914*, p. 135, 1923-1924, p. 364.

¹⁹⁰ *Laws of Iowa, 1913*, Ch. 250.

¹⁹¹ *Biennial Report of the Auditor of State, 1927-1928*, p. 9; *Biennial Report of the Superintendent of Public Instruction, 1926-1928*, pp. 38-45.

grounds and the necessary departments and equipment for teaching agriculture, home economics, and manual training, or other industrial and vocational subjects, and employing teachers holding certificates showing their qualifications to teach said subjects, and which said subjects are taught as a part of the regular course in such schools, subject to the approval'' of the Superintendent of Public Instruction, may receive State aid. The Superintendent of Public Instruction may not, however, deprive a consolidated school of its right to be approved for State aid because of the employment of a teacher properly certified, having had three years' experience, who has previously been approved for teaching in such a school.¹⁹² Thus the Superintendent of Public Instruction may exercise effective supervision over practically every aim and function of the consolidated school. No consolidated school may, however, receive State aid as provided for consolidated schools and at the same time receive State aid as provided for normal training high schools. But it is expected that any consolidated school maintaining an approved normal training department will receive State aid as provided for normal training high schools.¹⁹³

Consolidated schools may be approved for State aid either by inspection of the reports sent into the Department of Public Instruction or by personal inspection from a member of the Department. The usual basis of approval is, however, the report filed by the secretary, or by the superintendent of the consolidated school. Such report must be filed at the close of the school year. The Superintendent of Public Instruction specifies the matters to be reported upon and if such report is satisfactory, he issues a requisition

¹⁹² *Code of 1927*, Secs. 4184, 4337, 4338.

¹⁹³ *Code of 1927*, Sec. 4185; *Biennial Report of the Attorney General*, 1923-1924, p. 364.

upon the Auditor of State for the amount due the school in question. The Auditor of State, thereupon, draws a warrant upon the State Treasury payable to the consolidated school corporation for the amount of the requisition and sends it to the school corporation.¹⁹⁴

Financial Control over Standardized Schools.—The standard school was established by the Thirty-eighth General Assembly in 1919, and financial control of it by the Superintendent of Public Instruction was authorized.¹⁹⁵ An appropriation of \$100,000.00 annually is provided to make effective the operation of the standard school law.¹⁹⁶ In administering this State aid the Superintendent of Public Instruction is given power to prescribe “minimum requirements of teaching, general equipment, heating, ventilation, lighting, seating, water supply, library, care of grounds, fire protection, and such other requirements as he may deem necessary.” Indeed, it seems that only because of his financial powers thus exercised is he able to exercise any effective supervision over any of the one room rural schools.

Any rural school before it may be designated a “standard” school must have met the following conditions the previous school year: (1) it shall have been maintained for eight school months; (2) it must have a suitable school-house, grounds, and outbuildings in proper condition and repair; (3) it must be equipped with needful apparatus, textbooks, supplies, and an adequate system of heating and ventilation; (4) it must have done efficient work; (5) it must have complied with such requirements as shall be specified by the Superintendent of Public Instruction; (6) it must have had a teacher possessing a first-class county certifi-

¹⁹⁴ *Code of 1927*, Sec. 4186.

¹⁹⁵ *Laws of Iowa*, 1919, Ch. 364.

¹⁹⁶ *Laws of Iowa*, 1927, p. 259.

cate; (7) the school must have had an average daily attendance of at least ten pupils; and (8) the teacher must have been under contract for the entire school year. A standard school may not, however, be deprived of its right to be approved for State aid because of the employment of a teacher properly certified, having had three years' experience, who has previously been employed in a standard school. Each school designated by the Superintendent of Public Instruction as a "standard" school shall be furnished by him with a suitable door plate or mark of identification.¹⁹⁷

Any rural school district maintaining one or more standardized schools shall receive State aid to the amount of six dollars for each pupil who has attended school in the district at least six months of the previous school year. The Superintendent of Public Instruction, in administering State aid to the standard schools, acts largely through the county superintendent of schools. The county superintendent reports the rural schools having fulfilled the requirements of a standard school to the Superintendent of Public Instruction. If such report is satisfactory the Superintendent must issue a requisition upon the Auditor of State for the amount due the school district entitled to State aid for the past school year, whereupon the Auditor of State draws a warrant on the State Treasurer payable to the secretary of the school corporation and forwards the same to the secretary. The money thus received must be expended in the standard school district or districts in amounts proportionate to the number of pupils upon which State aid was granted. The subsidy is expended by the school board with the approval of the county superintendent of schools.¹⁹⁸

¹⁹⁷ *Code of 1927*, Secs. 4329, 4333, 4334, 4337, 4338.

¹⁹⁸ *Code of 1927*, Secs. 4332, 4335; House File No. 217, of the Forty-third General Assembly; *Journal of the House of Representatives*, 1929, pp. 419, 563, 564, 1361 1480, 1481, 1591; *Journal of the Senate*, 1929, pp. 827, 1245, 1270, 1271, 1390.

Financial Control over Mining Camp Schools.—The powers of financial control of the Superintendent of Public Instruction were extended by the Thirty-eighth General Assembly so as to include control over rural schools in mining camp districts. To this end the sum of \$50,000.00 was appropriated “to be used by the state superintendent of public instruction and under his direction during the next biennium for the purpose of relieving the conditions existing in the mining camps” so far as school facilities were concerned. The authority to control this sum seems to have been unlimited; the Superintendent of Public Instruction had full authority to expend it as he saw fit.¹⁹⁹ The Thirty-ninth General Assembly, however, limited the financial authority of the Superintendent of Public Instruction in this function by providing that the State aid for mining camp schools be “used by” the Superintendent of Public Instruction and “under his direction”, but with the approval of the Executive Council. The Fortieth General Assembly further limited the financial powers of the Superintendent of Public Instruction by requiring that the expenditure of State aid for mining camp schools was to be not only with the approval of the Executive Council, but also under “its direction”.

In administering State aid to mining camp schools personal visits of inspection and consultation with the local officials are made, usually by the Inspector of Mining Camp Schools. These visits are made to determine the relative concrete needs of the various schools. The Superintendent of Public Instruction then submits a “comprehensive program” to the Executive Council showing the entire proposed expenditure of the \$50,000.00 annually provided. All mining camp schools applying for funds must then be notified of the contemplated division of funds before the Exec-

¹⁹⁹ *Laws of Iowa*, 1919, Ch. 373.

utive Council's action. Ten days prior to the hearing by the Executive Council notice of the hearing must be given by registered mail addressed to the secretary of the respective mining camp schools.

The State aid for mining camp schools unlike the apportionment of State aid to consolidated schools, normal training schools, and standard schools, is not apportioned to schools meeting certain standards set up, but is apportioned rather, to those having the greatest need.²⁰⁰

Financial Control over Graded and High Schools.—In addition to exercising control through the approval of schools for State aid, the Superintendent of Public Instruction exercises supervision over graded and high schools through his power to control an important source of their revenues. Of the 32,887 high school students enrolled during the school year of 1927-1928, 9,595 were tuition students. Also, 2,449 grade school pupils brought revenue to these schools. During this same period the revenue accruing to schools approved by the Superintendent of Public Instruction was approximately \$3,049,000.00. No graded and high schools not approved by the Superintendent of Public Instruction may compel payment of tuition by the school corporation of which the student is a resident. Graded and high schools not approved for tuition must claim payment other than from the corporation of the student's residence.²⁰¹ In addition to the consolidated and normal training schools there were, during the school year ending June 30, 1928, 362 other school corporations maintaining high

²⁰⁰ *Laws of Iowa*, 1921, Ch. 295, 1923, Ch. 286, 1925, Ch. 218; *Biennial Report of the Superintendent of Public Instruction*, 1923-1924, pp. 13-15; letter dated February 13, 1926, from Inspector of Mining Camp Schools, Miss Winogene Hobbs.

²⁰¹ *Code of 1927*, Secs. 3832, 4274, 4275, 4277, 4278; *Biennial Report of the Superintendent of Public Instruction*, 1926-1928, pp. 14, 50, 94-96.

schools approved by the Department of Public Instruction for tuition purposes. These schools receive no special State aid, their only source of revenue being the property tax, the semi-annual apportionment, and tuition collected from individuals and from school corporations. Also, during this period 206 normal training high schools and 351 consolidated schools were approved for tuition as well as State aid and six consolidated schools were approved for tuition only.²⁰²

The powers of the Superintendent of Public Instruction to approve schools for tuition purposes enables him to establish standards for graded and high schools and to inspect the graded and high schools of the State to determine if the standards are being met or to approve new schools desiring to meet these standards. The Superintendent of Public Instruction has suggested standards relative to the government and administration of these schools by the board of school directors and the school superintendent, organization, the school plant, equipment, course of study, and teachers.²⁰³ The Superintendent of Public Instruction may not, however, deprive a graded or high school of its right to be approved for tuition because of the employment of a teacher properly certified and having had three years' teaching experience and who has previously been approved for teaching in such a school. Certificates of approval for tuition purposes are issued by the Department of Public Instruction to the schools meeting the minimum requirements.²⁰⁴

When children of employees of any institution under the

²⁰² *Biennial Report of the Superintendent of Public Instruction, 1926-1928*, pp. 14, 38-45.

²⁰³ See *Standards for Graded and High Schools Seeking Approval for Tuition Purposes, 1928*.

²⁰⁴ *Code of 1927*, Secs. 4337, 4338; *Standards for Graded and High Schools Seeking Approval for Tuition Purposes, 1928*, p. 7.

State Board of Conservation, the State Board of Control, the State Board of Education, or belonging to the Federal government, attend school in the district in which such institution is located or in a nearby district, the tuition is paid from the State Treasury. The Superintendent of Public Instruction, however, promulgates the rules and regulations necessary to determine the tuition and audits the tuition accounts in each case.²⁰⁵

Financial Control over Teachers' Institutes.—The Tenth General Assembly in 1864 granted the Superintendent of Public Instruction authority to “appoint the time and place” of holding a teachers’ institute in each of the several counties of the State, and appropriated a sum of fifty dollars annually for each such institute. The same amount of State aid is still granted to each county for teachers’ institutes, but authority of the Superintendent of Public Instruction to supervise the activities of the county superintendent relative to teachers’ institutes has been slightly increased. The Superintendent of Public Instruction is now empowered to direct the county superintendent in holding the institute and the county superintendent must secure the approval of the Superintendent of Public Instruction in selecting the instructional staff of the institute.²⁰⁶

IX

THE QUASI-JUDICIAL POWER

The first constitutional provision for appeals in school matters to be taken from the local school officials to the

²⁰⁵ *Code of 1927*, Secs. 4283b-6; House File No. 133, of the Forty-third General Assembly; *Journal of the House of Representatives*, 1929, pp. 182, 349, 524, 525, 1271, 1297, 1298, 1337; *Journal of the Senate*, 1929, pp. 519, 524, 827, 1123, 1124, 1161, 1174.

²⁰⁶ *Laws of Iowa*, 1864, Ch. 52; *Code of 1927*, Secs. 3832 (14), 4108, 4112, 4113.

chief State school official in Iowa was made by the State Board of Education in 1859. According to this rule, the function of hearing appeals was to be exercised by the Secretary of the State Board of Education. With the abolition of the State Board of Education in 1864, and the re-establishment of the office of Superintendent of Public Instruction, the latter officer was empowered to hear and "determine all cases appealed from the decision of the County Superintendents."²⁰⁷

The judicial power exercised by the Superintendent of Public Instruction has its origin in his power of direction and supervision. In accordance with a well known rule of administrative law it is held that where a head of a State department does not usually have the power of direction there is no general right of appeal from the decision of subordinates.

From the standpoint of study in administration the judicial power of the Superintendent of Public Instruction is one of considerable interest in Iowa government. This is largely because the Superintendent of Public Instruction, sitting as a tribunal passing upon the acts and decisions of the boards of directors and county superintendents, acts as an administrative court of final jurisdiction, and because the administrative court is not intrinsically a part of the American governmental system. The idea of an administrative court apparently had its origin in Europe. From the administrative court in France and Germany there has grown up a system of administrative law peculiar to their system of government. The theory of the French law is that the law which binds the administration is a special and distinct law; while the "theory of our law is that the admin-

²⁰⁷ *Educational Laws of the State of Iowa*, passed by the Board of Education, at its first and second sessions, as found in the *Journal of the Board of Education*, p. 27, Part XIII; *Laws of Iowa*, 1864, Ch. 52.

istration is in principle within the rule and nexus of the common law".²⁰⁸

The sections of the law granting the judicial power of the Superintendent of Public Instruction provide that the Superintendent of Public Instruction "shall examine and determine all appeals taken to him, according to law . . . and render written opinions upon questions submitted by school officers pertaining to their duties." "An appeal may be taken from the decision of the county superintendent to the superintendent of public instruction in the same manner as provided . . . for taking appeals from the board of a school corporation to the county superintendent, as nearly as applicable, except that thirty days' notice of the appeal shall be given by the appellant to the county superintendent, and also to the adverse party. The decision when made shall be final."²⁰⁹

The grant of power to hear cases of appeal has not gone unchallenged by the courts. The Supreme Court of Iowa as early as 1864 held that the Superintendent of Public Instruction in hearing cases of appeal is not exercising a judicial function, but is performing a ministerial act. This, it held, is made manifest by the fact that in acting upon appeals he is "limited necessarily to the same subject, and to the exercise of the same kind of power" as the county superintendent and the board of school directors. This is further made manifest, the Supreme Court held, because of the fact that the statutes have "expressly" withheld from the Superintendent of Public Instruction "the power to render judgments for money, thereby showing that neither party is to be shut up to his decision, so far as their rights

²⁰⁸ Goodnow's *The Principles of the Administrative Law of the United States*, pp. 140, 146; Freund's *The Growth of American Administrative Law*, pp. 9-11, 15, 16; Dickinson's *Administrative Justice and the Supremacy of Law in the United States*, pp. 32-36.

²⁰⁹ *Code of 1927*, Secs. 3832 (19), 4302.

and remedies by legal procedure are concerned." The denial of power to render money judgments is perhaps the one element that, more than any other, has differentiated this tribunal from those strictly judicial.²¹⁰ It is to be observed, however, that the administrative court of the Superintendent of Public Instruction decides many cases very similar in nature to those decided by the ordinary law courts. This is to be noted even in cases involving the determination of rights, judgments for money, determining jurisdiction, and defining procedure. Indeed, it has been recognized by good authority that, from all appearances, the Superintendent of Public Instruction constitutes a court parallel in jurisdiction and authority with the regular courts.²¹¹ The Supreme Court in 1887 spoke of this power as "judicial"²¹² and in 1896 as "*quasi-judicial*".²¹³ The courts have held that cases heard by the Superintendent of Public Instruction have met the requirements of the due process of law.²¹⁴

JURISDICTION

The jurisdiction of the Superintendent of Public Instruction in exercising his *quasi-judicial* functions has been worked out through statute, through court decisions, and partly through the Superintendent of Public Instruction's own definition and interpretation of his powers. His jurisdiction extends to "all cases of law and fact", but he cannot "render a judgment upon an appeal in the exercise of judicial authority".²¹⁵ It is not in his power to determine

²¹⁰ The School Township of Sioux City *v.* Pratt, 17 Iowa 16, 18.

²¹¹ Goodnow's *Politics and Administration*, pp. 79-81; Greenleaf's *A Treatise on the Law of Evidence*, Vol. I, pp. 162, 167.

²¹² Desmond *v.* The Independent District of Glenwood, 71 Iowa 23.

²¹³ Rodgers *v.* The Independent School District of Colfax, 100 Iowa 317, 321.

²¹⁴ State of Iowa *v.* Thomas, 152 Iowa 500, 504.

²¹⁵ The Independent School District of Lowell *v.* The Independent School District of Duser, 45 Iowa 391, 394.

the constitutionality of law,²¹⁶ since the powers of the Superintendent of Public Instruction are ministerial rather than judicial and no appeal may be had to the Supreme Court. The jurisdiction of the Superintendent of Public Instruction is also limited by the fact that he is denied power to render money judgments, nor may he hear cases arising from disputes concerning the formation or dissolution of a consolidated school district. In cases involving judgments for money and rights of citizens the courts are expected to determine equity and rights to be allowed; while the settlement of cases of dispute over the formation or dissolution of a consolidated school district, the law contemplates, shall reach final jurisdiction with the county board of education.²¹⁷

It might be presumed from the provisions of the law, in its use of the words "decision of the county superintendent to the superintendent of public instruction in the same manner as provided . . . for taking appeals from the board of a school corporation" that only decisions in the cases appealed to the county superintendent are meant. The Superintendent of Public Instruction does, however, entertain cases involving merely an original decision or order of the county superintendent and connected in no respect with any proceedings of a board of directors. For instance, he has entertained cases involving revocation of teachers' certificates. A person aggrieved by the order of a county superintendent revoking a certificate has the right of appeal to the Superintendent of Public Instruction. Thus the jurisdiction of the Superintendent of Public Instruction

²¹⁶ *Perkins v. The Independent School District of West Des Moines*, 56 Iowa 476, 478, 479.

²¹⁷ *The Independent School District of Lowell v. The Independent School District of Duser*, 45 Iowa 391, 394; *Kirkpatrick v. The Independent School District of Liberty*, 53 Iowa 585, 588; *Code of 1927*, Secs. 4158, 4159, 4160, 4161, 4162, 4188.

in hearing appeals is extended beyond that of hearing cases originating with the board of directors.

It is in this sense that the Superintendent of Public Instruction may be considered as having original jurisdiction. Where a county superintendent acts without jurisdiction, an appeal to the Superintendent of Public Instruction does not, however, confer jurisdiction in any case.²¹⁸

The courts have recognized that the jurisdiction of the school tribunals, that is, of the Superintendent of Public Instruction, the county superintendent, and the board of school directors, is to a certain extent exclusive. Usually in those cases where adequate remedy is provided by the school tribunals the courts will not interfere. For instance, it has been held that *mandamus* to compel action by a board of directors will not lie where the aggrieved party has the right of appeal.²¹⁹ And a teacher claiming that he is wrongfully discharged by a board of directors for incompetency can not, on the ground that action of the board was irregular and the discharge void, maintain an action for his salary without first appealing to the county superintendent and the Superintendent of Public Instruction.²²⁰

The cases in which the courts have claimed exclusive or concurrent jurisdiction in addition to those involving contracts, money judgments, or of the constitutionality of the law are, as a rule, cases in which one of the extraordinary writs is necessary to a speedy and adequate remedy. In the case of *mandamus* this is further supported in the law itself. The law provides that appeal may be taken only from a "decision or order", and this has been interpreted to preclude appeal in cases of neglect or refusal to act. Here it

²¹⁸ *Code of 1927*, Secs. 3893, 3894, 3895, 4302; *School Township of Newton v. The Independent School District of the City of Newton*, 110 Iowa 30, 31, 32.

²¹⁹ *Marshall v. Sloan*, 35 Iowa 445, 448.

²²⁰ *Kirkpatrick v. The Independent School District of Liberty*, 53 Iowa 585.

has been held *mandamus* is the only means of compelling action.²²¹ The remedy of a person denied possession of an office to which he has been elected and the remedy to test the validity of a school organization is by *quo warranto*.²²² Where a board of directors exceeds its jurisdiction or acts in a fraudulent or illegal manner *certiorari* and not appeal has been designated as the proper remedy.²²³ Where the question involves the construction of a statute conferring power upon school officers the courts quite readily assume jurisdiction either in *mandamus* or injunction.²²⁴ It is upon this matter, chiefly, that the courts have insisted upon sharing authority with the county superintendent and the Superintendent of Public Instruction, or even in restricting the authority of these officials. It is to be noted in this matter that though the courts have carefully guarded their own powers they have also given full recognition of a supplementary remedy; namely, by appeal. Thus, in support of the school tribunal, the Supreme Court of Iowa has said:

The school system of Iowa has been framed with special care to keep its management and control separate and distinct from other local jurisdictions having more directly to do with the administration of public affairs in general The officers and boards have not only a wide range of discretion in matters of administration, but are vested with much authority which is judicial, or quasi-judicial in character, with the result that, of the very large number of questions arising for solution comparatively few find their way into the courts for adjudication. This is as

²²¹ *Hancock v. The District Township of Perry*, 78 Iowa 550, 551, 552; *Code of 1927*, Sec. 4298; *Case v. Blood*, 71 Iowa 632, 634, 635.

²²² *School Laws of Iowa*, 1925, Decisions, p. 197; *State of Iowa ex rel Harms v. Alexander et al*, 129 Iowa 538, 540; *Independent School District of Manning v. Miller*, 189 Iowa 123, 133.

²²³ *Code of 1927*, Sec. 12456; *Smith v. Powell et al*, 55 Iowa 215, 216.

²²⁴ *Perkins v. The Board of Directors of The Independent School District of West Des Moines*, 56 Iowa 476, 478, 479; *Clay v. The Independent School District of Cedar Falls*, 187 Iowa 89, 100.

it should be, and the courts should hesitate long before using extraordinary powers of injunction or *mandamus* to control the administration of school affairs, where there is no clear showing of fraud or other flagrant wrong.²²⁵

On the other hand the extraordinary writs are frequently necessary to maintain justice. This is to be seen where the slower method of appeal would permit the consummation of a wrong which could be checked by an injunction.²²⁶ The statute provides that appeal may be taken from a "decision or order . . . in a matter of law or fact". The courts have not usually questioned decisions in matters of fact, but they have been more alert in any matter involving the construction of the law. This, it appears, is because the power to construe the law is rather distinctively a part of the work of the courts.²²⁷ In some cases the Supreme Court has indicated that proceedings through the courts would be more appropriate than appeal. There have been cases, however, in which there is little necessity for the existence of more than one method, or in which there is little real need of more than the method of appeal, yet the courts have defended their jurisdiction.²²⁸ The powers of the Superintendent of Public Instruction when acting within his jurisdiction are in some respects broad. Though the Superintendent of Public Instruction has held that it is not reasonable to urge that the county superintendent would have greater power on appeal than the board of directors would have, the courts have decided that in cases of appeal from the action of a board of directors both the county superintendent and the Superintendent of Public Instruc-

²²⁵ *Clay v. The Independent School District of Cedar Falls*, 187 Iowa 89, 98, 99.

²²⁶ *Hume v. The Independent School District of Des Moines*, 180 Iowa 1233, 1243.

²²⁷ *Code of 1927*, Sec. 4298; *Hinkle v. Saddler*, 97 Iowa 526, 536.

²²⁸ *Perkins v. The Board of Directors of The Independent School District of*

tion "have jurisdiction *de novo* by the appeal and can enter any order that the board could have made in the matter."²²⁹

The Superintendent of Public Instruction in the discharge of his judicial duties has the power, possessed by all courts and judicial officers, to correct mistakes in his decisions. If through mistake "he should announce a decision differing from the decision actually rendered, he possesses the power to recall such an announcement, and publish the decision correctly; or if, mistakenly, he should render a decision, he could, before rights had been acquired under it, and within a proper time, upon discovering his mistake, recall it, and decide rightly."²³⁰ And when an appellate tribunal is unable to decide an appeal because the testimony is insufficient or the transcript of the action of the board of directors is incomplete, and the facts are not sufficiently shown, the Superintendent of Public Instruction may remand the case for a new trial or for further action by the board of directors.²³¹ The Superintendent of Public Instruction may affirm the decision of the county superintendent; he may dismiss the case; he may deny a hearing; or he may modify and affirm, reverse and remand, or reverse and dismiss a case appealed to him.²³²

In other ways the power of the Superintendent of Public Instruction appears to be much less than that of the courts for he seems to have no power of committal or fine for contempt, and can only appeal to the courts for assistance. He

West Des Moines, 56 Iowa 476, 478, 479; *Rodgers v. The Independent School District of Colfax*, 100 Iowa 317, 320, 321.

²²⁹ *School Laws of Iowa*, 1925, Decisions, pp. 248, 249; *Atkinson v. Hutchinson*, 68 Iowa 161, 163, 164; *Munn v. School Township of Soap Creek*, 110 Iowa 653, 657.

²³⁰ *Desmond v. The Independent District of Glenwood*, 71 Iowa 23, 25.

²³¹ *School Laws of Iowa*, 1925, Decisions, p. 211.

²³² *School Laws of Iowa*, 1925, Decisions, pp. 193 ff.

does not have authority to enforce his decisions. His decisions may, however, be enforced "by an action of *mandamus*".²³³

PROCEDURE

The *quasi-judicial* authority of the Superintendent of Public Instruction includes the regulation of procedure. The statutes and the Supreme Court decisions have not occupied the entire field. Under this power rules of practice have been established and forms for use in appellate proceedings have been prescribed. The rules are to be found in his decisions. For instance, he has decided that appearance at the trial is a complete waiver of notice; that testimony to be legal must be under oath; that testimony unless obviously immaterial should be admitted and given such weight as it merits; that charges to warrant a dismissal must be specific and sustained by evidence; and, that a technical error will not defeat an appeal.²³⁴

Appeals from the decision of the county superintendent are made by the filing of an affidavit with the Superintendent of Public Instruction. This affidavit must be filed within thirty days from the date of the decision appealed from. Upon the filing of the affidavit the Superintendent of Public Instruction notifies the county superintendent to forward to the Department of Public Instruction within thirty days a transcript of the papers in the case. The original papers are kept on file in the office of the county superintendent. The transcript sent to the Superintendent of Public Instruction includes an exact copy of all testimony taken in the case by the county superintendent and a copy of his docket. The transcript, it is expected, will be uniform in size and type-written. The appellant must give thirty days' notice to the

²³³ *State v. Thomas*, 152 Iowa 500, 503, 504.

²³⁴ *School Laws of Iowa*, 1925, Decisions, pp. 193, 228, 229; *School Laws of Iowa*, 1915, p. 130.

county superintendent and also to the adverse party of the taking of the appeal. It is expected that this notice will be served as soon as the affidavit of appeal has been filed with the Superintendent of Public Instruction. Proof of the serving of the notice is to be filed with the affidavit in the Department of Public Instruction. The time for hearing by the Superintendent of Public Instruction will be fixed by him; and may be at any time after thirty days from the filing of the affidavit. A one-dollar postage fee must accompany the filing of the affidavit, otherwise the affidavit will not be considered. In cases concerning the revocation of a teacher's certificate by the county superintendent the person aggrieved by the county superintendent's action must make his appeal to the Superintendent of Public Instruction within ten days of the date of the county superintendent's decision. At the hearing held by the Superintendent of Public Instruction the parties interested may appear in person or by attorney and argue their cases orally, or they may send arguments in writing. The hearing in cases of appeal is not to be conducted by rigid adherence to technical forms and customs such as prevail in the regular courts.²³⁵ Should there be shown upon appeal that the transcript is materially defective, that valuable testimony given before the county superintendent has been omitted, an appeal case may be remanded by the Superintendent of Public Instruction. His decision when made shall be considered final. That is, it is final in the sense that no court will attempt to review or set aside a decision or order if the matters included are clearly within the jurisdiction of the Superintendent of Public Instruction.²³⁶ A

²³⁵ *School Laws of Iowa*, 1915, pp. 128, 129, 130, 131; *Code of 1927*, Sec. 3895; *School Laws of Iowa*, 1925, Decisions, p. 224.

²³⁶ *Munn v. School Township of Soap Creek*, 110 Iowa 653, 657; *School Laws of Iowa*, 1925, Decisions, pp. 211, 214, 215, 216, 219; *School Laws of Iowa*, 1915, pp. 129, 130, 131.

person in whose favor an appeal is decided may secure the enforcement of the decision of the Superintendent of Public Instruction by a writ of *mandamus* procured from the courts.

Evidence.—It has been held that the Superintendent of Public Instruction may determine the admission of evidence since from all appearances he constitutes a court parallel in jurisdiction and authority with the regular courts. In the hearing of cases of appeal the Superintendent of Public Instruction has taken great pains to make this court a court in the full sense of the word. In the admission of evidence, principles similar to those followed in courts of law have been used. Thus, the Superintendent of Public Instruction has adopted the principle of excluding parol evidence where it is possible and that it is not to be used to impeach written records, that parol evidence will not be substituted for written evidence of a transaction unless there is proof of fraud or falsehood, and that the written record is its own best evidence.²³⁷ The Superintendent of Public Instruction has also held that opinions unsupported by facts do not become satisfactory evidence, and that the charges must be clearly sustained by evidence, but that unless obviously immaterial, testimony will be admitted and given such weight as it merits.²³⁸

That appeal is of greater freedom and in some respects preferable to action in the regular courts may be seen from an examination of the rules relative to evidence. The Superintendent of Public Instruction has held that sufficient latitude should be allowed in the introduction of evidence to permit full presentation of the issues involved, even if ir-

²³⁷ Greenleaf's *A Treatise on the Law of Evidence* (16th Edition), Vol. I, p. 162; *School Laws of Iowa*, 1925, Decisions, pp. 194, 195, 197, 214, 216, 217.

²³⁸ *School Laws of Iowa*, 1925, Decisions, pp. 193, 235, 236.

relevant testimony is admitted, and that new evidence may be admitted when the facts materially affecting the case could not have been known before the trial.²³⁹

In support of the action of the board of directors the Superintendent of Public Instruction has held that, to show that a rule made by the board is unreasonable, the burden of the proof lies with the appellant and that positive testimony must be introduced and conclusive evidence must be shown to prove that a board acted maliciously or prejudicial to the interests of the appellant.²⁴⁰

ADMINISTRATION OF THE QUASI-JUDICIAL FUNCTION

The effect of the exercise of the *quasi*-judicial powers by the Superintendent of Public Instruction is shown, not so much by the text of the law, or by the language of the courts, as by the actual use made of the powers conferred, which is shown in examination of the decisions of the Superintendent of Public Instruction. That considerable weight is accorded the decisions of the Superintendent of Public Instruction may readily be inferred from the attitude shown by the Supreme Court in quoting from his decisions. Judged by the number of appeals and the questions involved, the powers actually exercised by the Superintendent of Public Instruction have been fully as comprehensive as those conferred in the statutes. As early as 1880, the importance of determining appeal cases was pointed out. In 1877, 123 cases were decided upon by county superintendents and 53 were appealed to the Superintendent of Public Instruction.²⁴¹ An examination of the number of cases reported by the county superintendents during the

²³⁹ *School Laws of Iowa*, 1925, Decisions, p. 244.

²⁴⁰ *School Laws of Iowa*, 1925, Decisions, pp. 215, 239, 240.

²⁴¹ See *School Laws of Iowa*, 1925, Decisions, pp. 193 ff.; *Biennial Report of the Superintendent of Public Instruction*, 1877-1879, p. 51, Appendix p. 43; *Wallace v. School District*, 150 Iowa 711, 714.

years of 1873 to 1922, makes it apparent that there has been a decided but gradual falling off in numbers. In 1873, there were 179 cases heard by county superintendents; in 1887, 96; in 1897, 36; in 1907, 17; and in 1917, 22. In 1919 there was a considerable increase in the number of cases decided in the counties. Since then there has followed another gradual decrease. In 1919 there were 85 cases; in 1920, 54; and in 1921, 39. The increase in 1919 apparently was due to: (1) the increased work in the several departments, and (2) the increased consolidation of schools and changed boundaries.²⁴² The cases carried from the county superintendents to the Superintendent of Public Instruction have usually been less than half those decided in the counties.²⁴³ Thus the Superintendent of Public Instruction is relieved of a considerable burden. The steady decrease in numbers may be explained in part by the fact that as school boundaries and sites have become more permanently fixed the possibilities of disputes on these points have decreased. The general policy of the county superintendents and the Superintendent of Public Instruction to discourage the taking of appeals has no doubt also contributed to their reduction.

An aspect of considerable significance in the administration of the *quasi-judicial* function is the independence with which the Superintendent of Public Instruction decides appeals. Of those cases appearing in the published decisions a majority are reversals. Of these 106 cases, 44 are reversals; 40 have been affirmed; 3 reversed and dismissed; 9 dismissed; 4 reversed and remanded; 3 remanded; and 2

²⁴² *Biennial Report of the Superintendent of Public Instruction, 1872-1873*, Appendix pp. 165, 185, 1876-1877, Appendix p. 43, 1877-1879, Appendix p. 17, 1887-1889, Appendix p. 57, 1907, p. 343, 1916-1918, p. 265, 1918-1920, pp. 43, 291, 1920-1922, pp. 153. 301.

²⁴³ *Biennial Report of the Superintendent of Public Instruction, 1892-1893*, p. 135.

petitions for re-hearing denied. From this analysis it is evident that the Superintendent of Public Instruction not only acts with considerable independence, but that there is also a need for his hearing of administrative appeals. The figures show that he does not hesitate to reverse the decisions of the boards of directors or county superintendents, or on the other hand, to adapt the decision to the equities of the case. Thus it is possible to justify the existence of this administrative tribunal, for apparently injustice would be done without it. From this brief analysis of the judicial function of the Superintendent of Public Instruction it is clear that this function contributes in a large measure to his administrative position in the State government. With the assurance that the Superintendent of Public Instruction may alter its decisions or may entirely disallow them, the board of directors is likely to be more careful in rendering its decisions, and the county superintendent more judicious in deciding cases appealed to him. The result of this seems likely to be that of bringing about uniformity in the enforcement of school law and a better knowledge of what the school law is. Furthermore, the likelihood that a decision of the county superintendent may be reversed would seem to discourage administration of the schools for selfish or personal motives.²⁴⁴ Knowledge of this potential power of the Superintendent of Public Instruction has no doubt been influential in developing a respect for the system. There has been, however, much criticism of the appellate authority even by the incumbents of the office of Superintendent of Public Instruction. It has been recommended that this function be abolished; it is urged that it has been "productive of more evil than good", and that someone is "dissatisfied with almost any act of the board of directors, and by availing himself of the right of appeal, much trouble often

²⁴⁴ *School Laws of Iowa*, 1925, Decisions, p. 333.

grows out of a very small matter." It was very early complained that the settlement of appeals, the official correspondence and the general work the law demands were sufficient to employ the entire time of the Superintendent of Public Instruction and his deputy. This has been a rather general complaint. Because of the ambiguity of the law and the unnecessary delay in hearing appeal cases one Superintendent of Public Instruction recommended the settlement of cases by local arbitration boards. Of recent years there has not been so much questioning of the existence of this judicial authority.²⁴⁵ The courts have shown a somewhat more favorable attitude toward the system and have regarded this method of adjusting school disputes as "plain, speedy, and adequate". They have spoken in high praise of the system.²⁴⁶ In discussing the judicial function of the Superintendent of Public Instruction the courts have said that "of the very large number of questions arising for solution in carrying on the vast and more or less complicated affairs of this system, which reaches into every neighborhood throughout the state, comparatively few find their way into the courts for adjudication. This is as it should be, and the courts should hesitate long before using their extraordinary powers of injunction or mandamus to control the administration of school affairs".²⁴⁷

For a Superintendent of Public Instruction to arrive at any definite opinion relative to a case appealed to him great care and labor must be taken in determining the law. This involves not only scanning a particular act, but searching the decisions of previous Superintendents of Public Instruc-

²⁴⁵ *Report of the Secretary of the Board of Education*, 1861, pp. 13, 14; *Biennial Report of the Superintendent of Public Instruction*, 1864-1865, pp. 21, 27.

²⁴⁶ *Marshall v. Sloan et al*, 35 Iowa 445, 448; *Clay v. The Independent School District of Cedar Falls*, 187 Iowa 89, 99.

²⁴⁷ *Clay v. The Independent School District of Cedar Falls*, 187 Iowa 89, 99.

tion, of the Supreme Court, and often the opinions of the Attorney Generals. The Constitution and the Code provisions form the basis; these are written, and both are administrative and judicial. Next in importance are the decisions of the Supreme Court which, though primarily judicial, embrace many matters in the nature of administrative law. For instance, the Supreme Court has decided that where an appeal is taken from the actions of a board of directors to the county superintendent and the Superintendent of Public Instruction, the Superintendent of Public Instruction has jurisdiction anew and can enter any order the board could have made.²⁴⁸ The decisions of the Superintendent of Public Instruction are entirely administrative. The opinions of the Attorney General referred to are such as are given upon request of the Superintendent of Public Instruction. This practice has been much used of late, and in some cases it appears that the Superintendent of Public Instruction has practically allowed the Attorney General to frame the school decision.²⁴⁹ As a result, these opinions have been given great weight and have been printed in the school laws as of equal importance with the other matters contained therein. The two classes of decisions and the opinions go to make up the "unwritten" law.²⁵⁰

Indeed, the work of giving opinions alone constitutes an enormous task to be performed by the Superintendent of Public Instruction. To make these opinions, decisions, and school statutes of most value, the Superintendent of Public Instruction has advocated the compiling of an annotated school code. For the year 1921, the Department of Public Instruction wrote 1881 opinions, classified under 63 heads. For the year ending June 30, 1922, 1864 opinions were is-

²⁴⁸ *Munn v. School Township of Soap Creek*, 110 Iowa 652.

²⁴⁹ *Biennial Report of the Attorney General*, 1923-1924, pp. 340-385.

²⁵⁰ *School Laws of Iowa*, 1915, p. 5.

sued. Questions concerning tuition composed the largest group, there being 191 requests for opinions during the year ending June 30, 1921, and 234 for the following year. Other matters demanding considerable attention during the two years, matters which might be considered as being representative of the work performed in giving opinions, are, in order of their approximate number, as follows: (1) school bonds, (2) boundary lines, (3) buildings, (4) certification of teachers, (5) collection of salaries of teachers, janitors, and bus drivers, (6) contracts of teachers, janitors, and bus drivers, (7) consolidation elections, (8) minimum wages of teachers, (9) school officers and their powers and duties, (10) publication of school notices, (11) tax levy, and (12) transportation. The work of formulating and issuing opinions is handled by the Deputy Superintendent of Public Instruction.²⁵¹

ADMINISTRATION OF THE QUASI-JUDICIAL FUNCTION AND THE BOARD OF SCHOOL DIRECTORS

The scope of the authority of the Superintendent of Public Instruction may be shown by a consideration of the character of questions which are involved in the appeal cases, with some indication as to the general policy shown in the decisions. First to be considered are those where an act of a board of directors is appealed from; second, those cases of appeals from decisions or orders originating with the county superintendent. In cases of appeals from the decision of boards of directors discharging teachers the Superintendent of Public Instruction has been careful to safeguard the rights of teachers. Thus he has refused to admit the validity of a discharge not made upon full and fair investigation. The teacher is allowed a reasonable time to

²⁵¹ *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, pp. 40-46.

prepare for and make defense. The Superintendent of Public Instruction has decided that a teacher may not be discharged at a special meeting called for the purpose of securing a modification of his contract.²⁵² He has held that the teacher is entitled to the counsel and coöperation of the board of directors in all school matters; and that a teacher may not be dismissed for refusing to teach grades, or classes not named in the contract. When discharged for incompetency or dereliction of duty a teacher has the right of appeal; when dismissed in violation of his contract an action in the courts will afford him a speedy and adequate remedy.²⁵³ The Superintendent of Public Instruction has also been careful to guard the individual rights of the school child as against the board of directors; holding that in cases involving the welfare of the child the law should be followed in "spirit" rather than literally, and that a first offense in the violation of the national prohibition act is not sufficient to warrant expulsion. He has held, however, that the board of directors may expel a pupil for immorality, for violation of rules and regulations made by the board of directors, or when the pupil's presence is harmful to the best interests of the school. The board of directors, it has been held, possesses large discretionary powers in making rules and regulations relative to the government of the schools.²⁵⁴ Where the right of a teacher to punish a child has come before the Superintendent of Public Instruction, he has held that the right of the parent to restrain and coerce children applied equally to any one who acts *in loco parentis*. From this it is to be concluded that the teachers may inflict corporal punishment. But it has been held that in correction of pupils the teachers must exercise sound discretion and judg-

²⁵² *School Laws of Iowa*, 1925, Decisions, pp. 247, 255, 273.

²⁵³ *School Laws of Iowa*, 1925, Decisions, pp. 209, 247.

²⁵⁴ *School Laws of Iowa*, 1925, Decisions, pp. 218, 229, 230, 235, 266.

ment; punishment with undue severity is unwarrantable.²⁵⁵ Boards of directors in attempting to exercise jurisdiction over school children after the termination of the school year have been declared to have exceeded their powers.²⁵⁶

In the selection of a school site, when a board of directors violates a law or abuses its discretionary power, its action has been reversed on appeal and the Superintendent of Public Instruction has himself undertaken to determine what the intent of the school electors was concerning the locations of the site and to issue his order accordingly. It is not, however, in the province of the Superintendent of Public Instruction to determine which of two sites is better. For the board of directors to make a distinction in determining the location of a school site between the children of freeholders and those of tenants is contrary to the spirit and intent of the law. The fact that some other action of the board of directors would have been desirable or preferable does not, however, establish that the board abused its discretion. The Superintendent of Public Instruction has decided that the action of the board of directors is presumed to be regular, correct, and for the best interests of the school districts.²⁵⁷ The Superintendent of Public Instruction has decided that the board of directors may not substitute its discretion for the clearly expressed wish of the electors. Thus, when the electors vote a schoolhouse tax to erect a building upon a particular site, the board of directors may not erect it on some other site. In the location of a school site it is incumbent upon the board of directors to recognize the rights of even a small minority. It may not deny an actual resident of a school district equal school advantages with other residents. The board of directors

²⁵⁵ *School Laws of Iowa*, 1925, Decisions, pp. 202, 203.

²⁵⁶ *School Laws of Iowa*, 1925, Decisions, p. 266.

²⁵⁷ *School Laws of Iowa*, 1925, Decisions, pp. 206, 210, 228, 235, 239.

may, however, in such manner as it sees fit determine the question of residence.²⁵⁸ The right of a board of directors to provide and enforce a course of study has been determined in its favor. It has been held that an appeal may not be taken from an order of the board of directors on the district treasurer, or in a matter of equity. But an appeal may be taken from the action of the board of directors in re-opening a school, on the failure or refusal to vote on a motion, the adoption of committee reports, from the failure of a motion to secure a second or from a motion to table a petition.²⁵⁹

ADMINISTRATION OF THE QUASI-JUDICIAL FUNCTION
AND THE COUNTY SUPERINTENDENT OF SCHOOLS

The judicial decisions of the Superintendent of Public Instruction have affected the administrative activities of the county superintendent of schools. In the hearing of appeals the county superintendent is thus limited in jurisdiction to matters that may be decided by the board of school directors from whose action the appeal is taken. His action in original jurisdiction is limited to revoking certificates of only those teachers employed in his county. The county superintendent exercises considerable influence in the granting of certificates. In such matters he has been accorded broad discretionary powers. He may require the applicant to show conclusive proof of good moral character and he may refuse a certificate to a teacher who fails to furnish satisfactory evidence of such character. Also he may refuse to enroll as a member of the teachers' county normal institute any person failing to furnish satisfactory proof of good moral character. It has been held, however, that a statement of a county superintendent of schools as to the

²⁵⁸ *School Laws of Iowa*, 1925, Decisions, pp. 242, 283, 292.

²⁵⁹ *School Laws of Iowa*, 1925, Decisions, pp. 202, 208, 240, 295.

character of an applicant made with full knowledge of the facts can not be repudiated later by him to satisfy his interests.²⁶⁰

The Superintendent of Public Instruction has held that the county superintendent, in deciding appeals, may consult the county attorney before giving his decision. Moreover, he may ask the Superintendent of Public Instruction for interpretation of a law upon any school matter. He may not, however, expect the Superintendent of Public Instruction to decide cases of appeal for him. Where cases of appeal come before the county superintendent with facts insufficiently shown so as to determine what should be done, but showing the action of the board of directors to be inadequate, the Superintendent of Public Instruction has decided that the case should be remanded. The county superintendent is not only responsible for his own acts, but has been held to be responsible for the acts of his deputy.²⁶¹

X

EX OFFICIO FUNCTIONS

The Superintendent of Public Instruction has certain powers and duties which he exercises by virtue of his office. He is *ex officio* a member of the State Library Commission, a member of the Board of Trustees of the State Library and Historical Department, president and executive officer of the Board of Educational Examiners, and chairman and executive officer of the Board for Vocational Education. The Superintendent of Public Instruction also serves the Board for Vocational Education in administering the vocational rehabilitation service. Although the Superintendent of Public Instruction is *ex officio* a member of these several

²⁶⁰ *School Laws of Iowa*, 1925, Decisions, pp. 227, 270, 333.

²⁶¹ *School Laws of Iowa*, 1925, Decisions, pp. 211, 216, 264, 333.

boards and services it is only in a few instances that any specific duties and powers are given him in an individual capacity. He functions primarily as a member of the particular board or commission. This seems especially true in case of membership on the State Library Commission and as a member of the Board of Trustees for the State Library and Historical Department. More extensive duties and powers are given him in connection with the Board of Educational Examiners and the Board for Vocational Education.²⁶²

As president and executive officer of the Board of Educational Examiners the Superintendent of Public Instruction appoints the time and place of holding the meetings of the Board. He has general supervision and direction of the Board's activities and carries on the work of the Board, holding teachers' examinations, appointing persons to grade the examination papers, supervising the work of grading the papers, and issuing and signing teachers' certificates. The law ascribes to the Superintendent of Public Instruction the duty of printing and furnishing the examination questions, which he distributes to the county superintendents conducting the teachers' examinations. The Board of Educational Examiners selects a secretary who carries on the work of the Board under the immediate direction of the Superintendent of Public Instruction. This work is performed in the office of the Superintendent of Public Instruction. The Superintendent of Public Instruction makes the annual reports of the Board of Educational Examiners, giving detailed account of all money received and expended with a list of all persons receiving certificates or diplomas. He must also certify to the State Board of Audit the authorized expenditures of the Board of Educational Examiners and the county superintendents in con-

²⁶² *Code of 1927*, Chs. 191, 192, 193, 233, 234.

nection with teachers' examinations and applications for certificates.²⁶³

The vocational education function is administered by the State Board for Vocational Education which consists of the Superintendent of Public Instruction, who is the chairman and executive officer, the President of the State Board of Education, and the Commissioner of Labor. The work of the Superintendent of Public Instruction in connection with this function is of a general nature and limited. He acts as chairman and executive officer of the Board, and with its approval appoints "such assistants as may be necessary" to carry out the work of vocational education. The staff of the Department of Vocational Education now consists of the Director of Vocational Education, a Supervisor of Industrial Rehabilitation and two assistants, a Supervisor of Agricultural Education, a Supervisor of Home Making Education, and a Supervisor of Trade and Industrial Education, all of whom are appointed by the Superintendent of Public Instruction. The work of the Department of Vocational Education is under the direction of the Director of Vocational Education. The responsibility for administering the vocational rehabilitation service is placed by law upon the State Board for Vocational Education. Thus the Superintendent of Public Instruction serves as chairman and executive officer in administering the rehabilitation service. The Director of Vocational Education is expected to devote two-fifths of his time to the rehabilitation service and three-fifths of his time to the details of vocational education work.²⁶⁴

²⁶³ *Code of 1927*, Ch. 193; *Biennial Report of the Superintendent of Public Instruction, 1920-1922*, p. 31; *Normal Training High Schools in Iowa, 1925*, pp. 26-35.

²⁶⁴ *Code of 1927*, Secs. 3838, 3839, 3852, 3853; *Outline for Plans for Vocational Education and Civilian Rehabilitation, 1923-1927*, pp. 3, 36; *Biennial Report of the Superintendent of Public Instruction, 1922-1924*, pp. 21-30.

XI

REFORMS IN THE DEPARTMENT OF
PUBLIC INSTRUCTION

The office of Superintendent of Public Instruction constitutes one of the departments of the State government. The Department of Public Instruction in Iowa, like a few other governmental agencies, does not perform a complete State function. This has been the result of biased and not unselfish partisan legislation. Only to a certain extent may it be said that the Department of Public Instruction was thoughtfully created and organized in full consciousness of the functions that it should perform. From small and insignificant beginnings it has grown by accretion rather than by well planned development. The Department of Public Instruction in its growth has also been subjected to considerable limitation. In general its activities have been limited to the field of public secondary and elementary schools.

The whole program of education in Iowa is by its very nature more or less closely associated in the operation of its educational activities. The purposes of these several agencies seek a common end. Education is a unit function of the State. The agencies seeking to perform this function should best be under a single direction. At present the State educational interests are not, however, administered by a single governmental agency. This separation has seemed necessary because of administrative and historical reasons. Only for a brief period of five years, 1858-1863, have all the educational interests of the State been under the direction of a single administrative agency. From time to time since the organization of Iowa as a Territory at least a few of Iowa's leading educators and statesmen have hoped to give education a large place in the functions of the State. This ideal has, however, been subjected to the many

hazards of political disputes and bargaining that are found in any republican form of government. Nevertheless, education has come to be the chief function of the State. Under our form of government education must be regarded as of peculiar importance owing to the need that popular control of public policy may at the same time be intelligent. More than forty per cent of the State and local annual expenditures go for the support of education. The public schools of the State, including the State institutions of higher learning and other educational services, have come to be the greatest coöperative enterprise of the State requiring for their management and control professional and administrative ability of the highest order.

Suggesting changes that should be made in political institutions has become an almost universal practice. This is noticeably true in times like the present when there is dissatisfaction due to the inevitable increase of taxes. All sorts of schemes are proposed to stem the tide of increasing cost of government. Whatever changes in the administration of education are to be introduced should be based on sound principles of education and administration. Present tendencies in the development of a most effective agency for administering the State's educational affairs should be observed. Well established systems following correct principles of education and administration in other States ought to be considered. Alabama, Minnesota, New Hampshire, and New York have school systems approaching the ideal. The school system in each of these States is, apparently, quite satisfactory for it seems to be well established. In proposing reforms in the present educational system in Iowa features of these State systems have been kept in mind. Consideration is also given to the recommendations of the Iowa Superintendent of Public Instruction. In these proposed reforms three things are taken into consideration,

namely: (1) cost of the proposed plan of organization, (2) efficiency in performing the functions which the organization is expected to perform, and (3) practicability of the proposed changes.

No system of State administration of education should be set up which would impose a tax burden upon the people out of all proportion to the educational needs, or the possibilities of the people to support. It must be recognized that other functions of the State must have a place in the people's support. But since education has become the chief business of the State, and since more money is being spent for it than for any other function, it seems that as far as the cost of the administration is concerned more money ought to be spent to develop the Department of Public Instruction into a business-like department of the State government, one which would compare favorably with the administrative department of any large industrial enterprise having problems of like immensity and to a like extent. Since the people of the State are the ones called upon to support education the problem of setting up a State system should be decided by them. No system of administration involving the support of the people should be imposed upon the people without their consent. The problem of organizing the Department of Public Instruction should be left to the head of the State educational administrative system.

Any proposed system of State administration of education should admit of efficiency to the highest possible degree in working out the problems of education and administering the proposed policies in that field. Educational administration has in principle and should have in practice no direct relation to partisan politics. Provision should be made for complete freedom of all educational interests from partisan politics, and for full recognition of the need of professional and administrative ability as qualifications for the head of

the State school system. The educational interests should be free from any political ties in order to adjust and re-adjust itself to the constantly changing and ever developing and enlarging needs and demands of the people.

In considering or recommending a new plan for any branch of State administration the ideal can scarcely be hoped to be accomplished. Also what may be an ideal system may not be readily adapted to Iowa conditions. Looking toward an ideal in State educational administration a plan perhaps somewhat less ideal, but more practical and more hopeful of adoption is here proposed. It is believed that because of the likelihood of jealousy of certain administrative officials and their reluctance to part with any of their present authority, coupled with the unlikelihood of the people's understanding or appreciating why a centralized educational system is needed, that a system less highly centralized and resembling more closely our present system should be proposed. Many do not believe that the people of the State and those in charge of the different branches of State school administration are ready to have the State institutions of higher learning under a department of education, and on a level with the system of the public common and secondary schools. It is doubtful if these people are ready to have the State University, the State College of Agriculture and Mechanic Arts, and the State Teachers College put upon a par with other divisions of a State department of education, and under the administration of a State superintendent of public instruction. The ideal in State educational administration would be to have a board of education at the head of all public educational activities of the State with a State superintendent of public instruction as the executive and administrative officer. Under such a plan the institutions of higher education would be directly responsible to a State superintendent.

In proposing a change from the existing State educational organization it is believed that a goal should be set up which will be acceptable and workable to a large degree. This plan proposes a State board of education as the administrative head of the State's educational system. The Department of Public Instruction, the State University, the State College of Agriculture and Mechanic Arts, and the State Teachers College would be put upon a par with each other in administration, and each alike would be responsible to the board of education. Through such a plan there will be more coördination between the work of the higher institutions and the work of the public elementary and secondary schools than now exists.

The proposed department of public instruction should be under the direction of a State superintendent of public instruction and the proposed department should be divided into as many distinct divisions as would give the greatest efficiency. The following are the proposed divisions with an assistant superintendent at the head of each division: (1) executive and business management; (2) legal division; (3) building plans and building sanitation division; (4) research and statistical division, including child accounting; (5) teacher training, certification, and placement division; (6) division of elementary education, rural schools, graded schools; (7) division of vocational education, and rehabilitation service; (8) division of special education, (a) school for deaf, (b) school for blind, (c) school for boys, (d) school for girls; (9) historical and library division, including the State Library, the Historical Department, and the Library Commission; (10) division of supervision of art, music, and drawing; (11) division of physical training. The board of education should have authority to assign new functions to divisions, to create new divisions, or to consolidate or abolish existing divisions.

The nature of the work and the relations of any State educational system are such as to make necessary wise and definite administrative action. Well considered policies are more important than quick action.

The board of education should be as non-partisan as possible. The members should be lay members selected from the State at large. They should be men and women of recognized ability and sterling character, devoted to the public welfare and convinced of the importance of education, and they should be willing and able to give their time and energy to the duties of their office. The members of the board should represent fairly all sections of the State and the main professions, occupations, and interests of the people. They should be men and women in close touch with the interests of the people of the State.

The board of education itself should consist of seven or nine members serving for seven or nine years, the term of two members expiring every two years, for convenience in appointment. This would give the board stability, continuity, and constant newness as well as a degree of permanence. This provision for length of term would largely remove the board from the temporary influence of any one political régime. The members of the board of education should be appointed by the Governor by and with the consent of the Senate. There should be no *ex officio* members. This method of selection of board members has the merits of centralizing full responsibility in the executive head of the State and is more likely to result in wise selection than when selected at popular election. It also protects the board of education from undue political influence and makes it possible to provide that not more than a bare majority should be from any certain political party. It is one of the principles of a well-ordered administration that administrative boards should be appointed by the chief executive.

Members of the board of education should not be paid a salary, but should be paid a liberal per diem and all necessary expenses for attending board meetings.

The State board of education should have general control of all educational interests of the State, as embodied in the public elementary and secondary schools, the special schools for the blind, the deaf, the training school for boys, and the training school for girls. This board of education should also have general control of the State University, the College of Agriculture and Mechanic Arts, and the State Teachers College. It should have general control of such work as vocational education, rehabilitation service, and continuation work. The board of education should see that every possible effort is made to harmonize and coördinate the work of the schools of higher education with the public elementary and secondary schools of the State. This is of the greatest importance, since for the best results all schools of the State, of whatever kind and grade, ought to function as one organization.

The State superintendent of public instruction should be the executive head of the department of public instruction. He should be selected from the country at large and on the basis of professional preparation and administrative ability. He should be responsible to the State board of education. Able and efficient superintendents of public instruction have come into office by popular election and something may be said in favor of appointment by the Governor, but neither of these methods of selection is as sure and reliable as appointment by a non-partisan board. Neither is any other method of selection rational, if the superintendent of public instruction is to be responsible to the board of education. The term of office should have no reference to the change of officers connected with the partisan government of the State. The term should be indefinite or for a period of

years long enough to make possible the consistent development of administrative policies.

The superintendent of public instruction, under the general control of the board of education, should have charge of the entire public school system of the State, and should be given such freedom of action as is necessary for executive efficiency. The office of superintendent of public instruction should be regarded as the most important educational office in the State. Its requirements and compensation should be in keeping with this conception. The salary should not be fixed by law, but should be arranged by the board of education to enable it to secure a qualified person for the office. It is only reasonable that the salary of the superintendent of public instruction should be as large as that of any other officer of education in the State, or the presidents of the institutions of higher education.

There should be a competent staff of experts, assistants, and clerks appointed by the State board of education upon the recommendation of the superintendent of public instruction. At the head of each of the proposed divisions of the department should be an expert assistant superintendent of public instruction or supervisor. He should be professionally qualified and be immediately responsible to the superintendent of public instruction, acting under his direction. To a large extent the efficiency of the department of public instruction and the character of the work accomplished by the public schools of the State would depend upon the character and ability of the heads of these divisions. As in the case of the superintendent of public instruction, the assistant superintendent should be selected from the country at large and only for his fitness for the work to be done. Salaries and conditions of service should be such as to make it possible to obtain and hold in these positions the most competent educators in their special fields. What is seemingly

a saving in providing a few small salaries is likely to be false economy and can not fail to have its evil effects upon the whole school system.

The duties of the superintendent of public instruction should consist of the general direction and supervision of all the educational interests of the State not charged to the three institutions of higher education. The superintendent of public instruction should have general direction and supervision of the county superintendents of schools and should advise with them concerning the problems of the common schools of their respective counties. The relationship existing between the county superintendents and the superintendent of public instruction should exist largely as it is at the present time. County superintendents should be responsible to and removable by the superintendent of public instruction. The direction and supervision of the superintendent of public instruction should be exercised through the several divisions of the department of public instruction. In general his duties should be as follows. (1) The superintendent of public instruction should be the executive official and secretary of the board of education and should enforce rules and regulations made in conformity to law by the board of education. (2) He should have power to prepare and submit for the approval of the board of education rules and regulations for every activity in his department, such as for certification of teachers and holding examinations; protection of public health, physical welfare, medical inspection of schools; classifying, grading, and standardizing schools of an elementary or a secondary grade; specifying minimum equipment, standards, and number of teachers; diplomas and certification of graduation from schools; distribution of State aids and grants to the different schools under his jurisdiction; taking school census; the administration of vocational and rehabilitation service; and hygi-

enic, sanitary, and protective construction of school buildings. (3) He should have the power of appointment and removal, which should extend to all assistants, supervisors, and officials of the department. (4) He should have the general direction and supervision of the divisions of the department of public instruction. (5) He should have power to hear all cases appealed to him from county superintendents, to render opinions and give advice on matters of school law. (6) He should have power to prepare and submit to the board of education the budget for the department of public instruction. (7) He should have power to apportion and distribute all school funds, grants, and aids to the public schools of the State. (8) He should have general power to classify, define, inspect, supervise, and direct all the public elementary and secondary schools of the State. (9) He should prepare the annual report of the department of public instruction. (10) He should prepare suitable courses of study for the schools of the State.

In conclusion it may be said that the changes recommended could be accomplished by legislation and would not necessitate constitutional revision. They are recommended with a view to increasing the efficiency of the office of Superintendent of Public Instruction to the end that the costs of education and of government may, if possible, be reduced and that tax increase may be kept at a minimum. It is doubtful, however, whether taxes can ever be greatly reduced when people constantly demand that the government undertake new functions and education new forms. These recommendations are made, furthermore, because the changes seem not so radically different from the present organization but that there is the possibility of their adoption.

HERBERT CLARE COOK

MARK TWAIN IN IOWA

[This is the first installment of an article on Mark Twain in Iowa by Fred W. Lorch. The final installment will appear in a later number of this magazine.—THE EDITOR]

THE MUSCATINE EPISODE

Relatively little of a documentary nature remains with which to piece out the record of Mark Twain's early life in Iowa. Clemens himself has little to say of it,¹ and only two of his letters of the period have been preserved. The newspapers now and then give one a glimpse, but any one familiar with the manner of news editing in the fifties will understand the meagerness of that source, especially when the information one seeks is about a boy utterly lacking in local distinction. Nor is there a person alive today who remembers anything about Clemens's early residence in the State. One may find, it is true, a considerable body of Twain tradition all along the Mississippi from Keokuk to Muscatine, a tradition still in the process of evolution, but naturally enough only a small portion is founded on fact. Only one source that might be of help still exists, in part, at least, and that is the autobiographical papers written by Orion Clemens, Mark Twain's older brother. These, however, have not been available to the writer except in so far as Albert Bigelow Paine has used them in his biography of Mark Twain.² And yet, from an examination of the evi-

¹ A third volume of Mark Twain's *Autobiography* is yet to appear.—Letter from Harper and Brothers, dated January 10, 1928.

² Orion's autobiographical papers consisted of some 2000 pages of manuscript and were intended for publication. At Mark Twain's suggestion William Dean Howells looked them over, thinking he might run them in *The Atlantic Monthly*, but Orion's confessions were too soul revealing for Howells.

dence available, scanty as it is, and from a careful sifting of the tradition, it is possible to reconstruct something of Mark Twain's early residence in the State and to arrive at a somewhat clearer conception of the influences that came to him as a result of his early life here.

Neither the day nor the month that Samuel Langhorne Clemens first touched Iowa soil is known. But the place was Muscatine. Orion Clemens had sold his paper at Hannibal, Missouri, probably in September, 1853, and by the thirtieth of that month had bought a part interest in the *Muscatine Journal*.³ The previous June, Sam Clemens had left Hannibal, where he had worked for Orion without pay;⁴ and had gone adventuring to the East, first to New York and later to Philadelphia where he remained for over a year. Few letters of the period remain, but one to Orion, dated Philadelphia, November 28, 1853, reveals the fact that Orion had asked Sam to write for the Muscatine paper, for Sam replies, "I will try to write for the paper occasionally, but I fear my letters will be very uninteresting."⁵

He could not find it in his heart to print them. These papers, which Paine found very valuable in writing his biography of Twain, the writer tried to borrow. In replying to the letter expressing a desire to see the papers, Paine said, "Orion's memoirs are deep in the dusty obscurity of a safe deposit vault, and would, I think be of no use to you if you had them."—Letter from Albert Bigelow Paine, dated April 24, 1927. When somewhat later a definite attempt was made to borrow the memoirs, he replied, "There is no hope of your seeing those odds and ends of Orion's *Autobiography*. It was M. T.'s wish that all should be destroyed, and most of them *were* burned. Some fragments may remain, but I am not sure, and in any case it is certain that the trustees would not dig them out. . . . Mrs. Gabrilowitsch (Clara Clemens) and myself are Mark Twain's literary executors. Knowing his feelings in the matter, our own feeling, and the feeling of the trustees, I am sure that permission to borrow, or to examine, any remaining fragments of Orion's record, supposing any still exists, would be quite out of the question."—Letter from Albert Bigelow Paine, dated October 29, 1927.

³ Orion Clemens's name appears on the *Muscatine Journal* for the first time on September 30, 1853.

⁴ Paine's *Mark Twain: A Biography*, Vol. I, p. 92.

⁵ Paine's *Mark Twain's Letters*, Vol. I, p. 29.

Orion's request was by no means haphazard. A month earlier, on October 26th, Sam, unaware of the removal to Muscatine, had written a long letter to Orion at Hannibal which contained, along with much information of a personal nature, an extended account of a journey to Fairmount Park, Philadelphia. This letter, evidently, was immediately forwarded to Orion at Muscatine, for on November 11th, under the title "Philadelphia Correspondence" an extract of Sam's letter appears in the *Muscatine Journal*. This extract, by the way, happens to be one of the portions omitted by Paine in editing that letter for publication.⁶ The fragment, as it appears in the *Muscatine Journal*, has a twofold interest; it is unquestionably the earliest piece of writing from the hand of Samuel Clemens to be published in an Iowa newspaper; and, as a piece of descriptive prose, it offers the earliest basis for a study of the development of the type of writing upon which his literary fame chiefly rests. The letter follows.

Philadelphia, Oct. 26, 1853.

The grave of Franklin is in the Christ Church yard, corner of Fifth and Arch streets. They keep the gates locked, and one can only see the flat slab that lies over his remains and that of his wife; but you cannot see the inscription distinctly enough to read it. This inscription, I believe, reads thus:

"Benjamin
and
Deborah
Franklin"

I counted 27 cannons, (6 pounders,) planted in the edge of the sidewalk, in Water street, the other day. They are driven into the ground about a foot, with mouth upwards. A ball is driven fast into the mouth of each, to exclude the water. They look like so many posts. They were put there during the war. I have also seen them planted in this manner round the old churches in New York.

⁶ Paine's *Mark Twain's Letters*, Vol. I, p. 27.

The Exchange is where the different omnibus lines have their starting or stopping place. That is, it is the headquarters; and from this they radiate to the different parts of the city.

Well, as I was going to say, I went to the Exchange, yesterday, and deposited myself in a Fairmount stage, paid my sixpence, or "fip," as these heathens call it, and started. We rolled along till we began to near the outskirts of the city, where the prettiest parts of a large city always is. We passed a large house, which looked like a public building. It was built entirely of great blocks of red granite. The pillars in front were all finished but one. These pillars were beautiful, ornamented fluted columns, considerably larger than a hogshead at the base and 25 or 30 feet high. No marble pillar is as pretty as these sombre red granite ones; and then to see some of them finished and standing, with huge blocks lying about of which others are to be built, it looks so massy, and carries one in imagination to the ruined piles of ancient Babylon. I despise bogus brick columns, plastered over with mortars. Marble is the cheapest building stone about Philadelphia. This marble is the most beautiful I ever saw. It takes a very high polish. Some of it is as black as Egypt, with thin streaks of white running thru it, and some is a beautiful snowy white; while the most of it is magnificent black, clouded with white.

But I must go on with my trip. We soon passed long rows of houses, (private dwellings,) all the work about the doors, stoops, etc., of which was composed of this pretty marble, glittering in the sun like glass. We arrived at Fairmount, got out of the stage and prepared to look around. The hill (Fairmount) is very high, and on top of it is the reservoir. After leaving the stage, I passed up the road till I came to the wire bridge which stretches across the Schuylkill. This is the first bridge of the kind I ever saw. Here I saw, a little above, the fine dam which holds back the water for the use of the Water Works. It forms quite a nice water-fall. Seeing a park at the foot of the hill, I entered and found it one of the nicest little places about. Fat marble Cupids, in big marble vases, squirted upward incessantly. Here stands, in a kind of mausoleum, a well executed piece of sculpture, with the inscription—"Erected by the City Council of Philadelphia, to the memory of Peter Graff, the founder and inventor of the Fairmount Water Works." The bust looks toward the dam. It is all of the purest white marble. I passed along the pavement by the pump-house,

(I don't know what else to call it,) and seeing a door left open by somebody, I went in. I saw immense water wheels, etc., but if you will get a back number of *Lady's Book*, you will find a better description of the Works than I can give.

I passed on further, and saw small steam boats, with their signs up — "For *Wissahickon* and *Wamoyunk* — 25c." George Lippard, in his "*Legends of Washington and his Generals*," has rendered the *Wassahickon* sacred to my eyes, and I shall make that trip, as well as one to *Germantown*, soon.

But to proceed, again. Here was a long flight of stairs, leading to the summit of the hill. I went up, of course. But I forgot to say, that at the foot of this hill a pretty white marble *Naiad* stands on a projecting rock; and this, I must say, is the prettiest fountain I have seen lately. A half-inch jet of water is thrown straight up ten or twelve feet, and descends in a shower, all over the fair water spirit. Fountains also gush out of the rock at her feet, in every direction.

Well, arrived at the top of the hill, I see nothing but a respectably-sized lake, which looks rather out of place in its elevated situation. I can't say I saw nothing else, either — for here I had a magnificent view of the city. Tired of this, I passed up *Coates street*, five or six squares from the hill, and came to the immense (distributing) branch of the Works. It is built of a kind of dirty yellow stone, and in the style of an ancient feudal castle.

Passing on, I took a squint at *The House of Refuge*, (which we used to read about at *Sunday School*;) then I took a look at the marble *Girard College*, with its long rows of marble pillars — then jumped into a 'bus and posted back to the *Exchange*.

Philadelphia is rich in Revolutionary associations. I stepped into the *State House* yesterday to see the sights. In one of the halls, on a pedestal, is the old cracked "*Independence Bell*," bearing the inscription "*Proclaim liberty throughout the land*," or something to that effect. It was cast 25 or 30 years before it made this proclamation. It was rung for the first time on "*Independence Day*," when it "*proclaimed liberty*," by calling the people together to hear the *Declaration of Independence* read. It is an interesting relic. A small pine bench or pew in this Hall bears this inscription — "*Washington, Franklin and Bishop White sat on this Bench*." Of course, I "*sat down*" on it. I would have whittled off a chip, if I had got half a chance. On the pedestal of the *Statue of Wash-*

ington in the same Hall, is a small block of granite, with the inscription — "A piece of the step on which the Secretary's foot rested when he read the Declaration of Independence." Full length portraits of William Penn and Lafayette hang in this Hall. There is another thing which should have a place in this Hall. It is a flag which I saw in New York. It was the personal property of Washington, and was planted on the Battery when the British evacuated New York. After that, it was not used until the laying of the corner stone of the Washington monument. Then this faded and tattered, though time-honored relic of "the days that tried men's souls," was taken to Washington and unfurled to the breeze at the ceremony. It is said that when the procession reached the Monumental ground in Washington, the flag was unfurled and the announcement made — "This flag belonged to Washington; it proudly waved defiance to the British from the Battery when they evacuated New York; it is here now to display the stars and stripes under which its illustrious owner so nobly fought," — the multitude gazed on it a moment, and then a shout went up that would have sent the blood from the cheek of a tyrant.

I came here from New York by way of the Camden and Amboy railroad — the same on which the collision occurred some time since. I never thought of this till our train stopped, "all of a sudden," and then began to go backwards like blazes. Then ran back half a mile, and switched off another track, and stopped; and the next moment a large passenger train came round a bend in the road, and whistled past us like lightning! Ugh! ejaculated I, as I looked to see if Mr. C.'s bones were all safe. If we had been three seconds later getting off that track, the two locomotives would have come together, and we should no doubt have been helped off. The conductors silenced questions by not answering them.

S. C.

It was late in the summer of 1854, when Sam returned to the West.⁷ When he arrived at St. Louis, he discovered that his mother and his brother, Henry, who was three years younger than Sam, had gone to Muscatine to live with

⁷ For a more detailed sketch of his trip see Paine's *Mark Twain: A Biography*, Vol. I, p. 102.

Orion.⁸ He took passage at once on an up-bound river packet. Completely exhausted from the long rail journey from the East, Sam at once sought out his berth and slept through until the boat docked at Muscatine thirty-six hours later.⁹ It was early morning when he stepped ashore, so early that he did not wish to arouse the family. Besides, he wanted to give them a surprise, for he had not told them he was coming. He awaited daylight in the office of a little hotel, probably the old Ogilvie House at the corner of Water Street and Iowa Avenue,¹⁰ within a few blocks of where Orion lived; and entertained himself there, reading a little book he found lying in the office, containing brief sketches of the lives of English rulers and their reigns. "This incidentally acquired knowledge," writes Paine, "proved of immense value to him. It was his ground work for all English history."¹¹

How long Sam remained in Muscatine can not definitely be established. Paine apparently believes that he very soon returned to St. Louis, not accepting Orion's offer of a job on the *Journal* because he could not afford the luxury of working for Orion.¹² Local tradition has it, however, that he remained in Muscatine several months before going to St. Louis, and that he worked for a time at the *Journal* office.¹³

There appears to be no one in Muscatine today who remembers anything definite about Sam Clemens's residence

⁸ Paine's *Mark Twain: A Biography*, Vol. I, p. 102. Sam had counseled against his mother's going to Muscatine. He thought the climate was too cold for her.—Paine's *Mark Twain's Letters*, Vol. I, p. 29.

⁹ Paine's *Mark Twain: A Biography*, Vol. I, p. 102.

¹⁰ Twain remembered the hotel years later when he stopped at Muscatine on his way up the river gathering material for his book, *Life on the Mississippi*.

¹¹ Paine's *Mark Twain's Letters*, Vol. I, p. 31.

¹² Paine's *Mark Twain: A Biography*, Vol. I, p. 103.

¹³ *History of Muscatine County*, p. 391.

there. In 1910, on the occasion of Mark Twain's death, one elderly lady, who claimed to have knowledge of the Clemens family in Muscatine, remembered not only Mark Twain's mother, and the house the family occupied, with the little grape arbor and latticed porch at the rear where Mrs. Clemens performed many daily tasks, but she also remembered Sam.

Speaking of Sam Clemens in Muscatine she said: "He was rather a tall boy when he came here, and took a delight in playing with the children of the neighborhood. I used to sit on his lap and he used to tell me little stories. He wore a roundabout and his trousers came to about six inches above his shoe tops, and his whole attitude was anything but graceful."¹⁴

The house which the Clemens family occupied is still pointed out by the people of Muscatine. It is today a drab little one-story frame dwelling in a drab neighborhood. Old residents say that in the early days the neighborhood was quite select, that the area between the house and the river was grassy, and that it sloped gently to the bank. But all that has now vanished, and the squat little dwelling at 109 Walnut Street crouches just at the left of the approach of the high bridge which spans the Mississippi.¹⁵

Less significant in estimating the length of Twain's residence in Muscatine, and yet important enough, perhaps, to justify its mention here, is the fact that in 1882, as he came

¹⁴ *Muscatine Journal*, April 22, 1910.

¹⁵ The information establishing the identity of the house at 109 Walnut Street with the Clemens house of 1853-1855 was obtained from Edward L. Graham of Muscatine. He reports a story often told him by Cornelius Cadle that Cadle's mother, whose maiden name was Hattie Swan, when she was a little girl, lived just across the street from the Clemens home and often visited at their house. There seems to be no doubt in the minds of the people of Muscatine about the identity of the house. It is likely that Mrs. Cadle was the person whose reminiscences of Mark Twain were printed in the *Muscatine Journal* article of April 22, 1910, referred to above.

up the river gathering material for his *Life on the Mississippi*, when the boat stopped for a half hour or so at Muscatine, he inquired after R. M. Burnett and George B. Denison.¹⁶

Burnett, in 1854, operated a book store at which Henry Clemens, Sam's younger brother, worked.¹⁷ Considering Sam's pronounced interest in books, it is not at all unlikely that he dropped in at Burnett's frequently and spent many an idle moment there. One can only hazard a guess concerning his acquaintance with George B. Denison. Denison at the time was a teacher in the Muscatine schools, an energetic young fellow from the East who later became prominent in county and State educational circles.¹⁸ It is easy to believe that Sam, now at the age of eighteen, with perhaps a somewhat greater respect for education than he had entertained in his Hannibal days, gravitated toward the man who, more than any one else in the little frontier town, represented culture, and who, like himself, loved books.

And finally Clemens himself refers to his sojourn in Muscatine. The passage which occurs in his *Life on the Mississippi* is pleasantly reminiscent. It will be noted from the first sentence that Twain regarded his stay in Muscatine as more than a brief visit; and somewhat later, when he speaks of the sunsets, one gets the feeling that his experience of them was recurrent over a period of time sufficient to fix them permanently in his memory.

I lived there for a while many years ago. . . . I remember it best for a lunatic who caught me out in the fields, one Sunday, and extracted a butcher-knife from his boot and proposed to carve me up with it, unless I acknowledged him to be the only son of the

¹⁶ *Muscatine Journal*, May 19, 1882.

¹⁷ *Muscatine Journal*, April 22, 1910.

¹⁸ *History of Muscatine County*, p. 601.

Devil. I tried to compromise on an acknowledgment that he was the only member of the family I had met; but that did not satisfy him; he wouldn't have any half-measures; I must say he was the sole and only son of the Devil—and he whetted his knife on his boot. It did not seem worth while to make trouble about a little thing like that; so I swung around to his view of the matter and saved my skin whole. . . .

And I remember Muscatine—still more pleasantly—for its summer sunsets. I have never seen any, on either side of the ocean, that equalled them. They used the broad, smooth river as a canvas, and painted on it every imaginable dream of color from mottled daintinesses and delicacies of the opal, all the way up, through cumulative intensities, to blinding purple and crimson conflagrations, which were enchanting to the eye, but sharply tried it at the same time.¹⁹

One may safely assume that Sam Clemens spent much of his time during his sojourn at Muscatine with Orion at the *Journal* office. Such an assumption is supported by the following evidence. When Twain stopped briefly at Muscatine in 1882, as mentioned previously, he was sought out by members of the *Journal* staff, one of whom was the senior editor "with whom Mr. Clemens was employed as a printer in this place 28 years ago".²⁰

The Muscatine episode was of necessity short. Orion could scarcely make a living for himself, let alone secure decent wages for Sam.²¹ Probably the small country town, in contrast with the city, also grew irksome. At any rate, sometime in the late fall of 1854 or the winter of 1855 Sam left for St. Louis, where he worked as a compositor on the *Evening News*.²² With his removal to St. Louis, Mark Twain's connection with Muscatine came to an end.

¹⁹ For the Muscatine episode see Mark Twain's *Life on the Mississippi*, pp. 408, 409.

²⁰ *Muscatine Journal*, May 19, 1882.

²¹ Clemens's *Autobiography*, Vol. II, p. 287.

²² Paine's *Mark Twain's Letters*, Vol. I, p. 32.

LIFE AT KEOKUK

Orion Clemens remained in Muscatine till June 9, 1855, when he disposed of his interest in the *Journal* and moved to Keokuk.²³ Two days later he had taken possession of the Ben Franklin Book and Job Office which occupied the third floor of 52 Main Street.²⁴ Henry Clemens, who had been a member of Orion's household during all of the Muscatine episode, apparently moved to Keokuk with Orion, but not a single bit of evidence has been found that helps to establish the time of Sam's arrival from St. Louis, where he had spent the winter and spring of 1855. Paine vaguely asserts that "he came up from St. Louis, by and by, and that Orion offered him five dollars a week and board to remain."²⁵ But whether he came shortly after Orion's acquisition of the job office or not till some months later can not now be ascertained.

Orion's place of residence during the summer and fall months of 1855 is not known. Since the *Muscatine Journal* venture had left him as impecunious as ever,²⁶ it is probable that he exercised considerable economy in the choice of a dwelling. An additional burden came to him when on September 14th little Jennie Clemens was born.²⁷ After Sam's arrival Henry and Sam slept at the job office, Henry boarding with Orion, and Sam at the Ivins House.²⁸

²³ Information from a note book kept by Molly Clemens, Orion's wife. The first entries were apparently made in 1862 at Keokuk while Molly was waiting for Orion, then in Nevada, to send for her. It will hereafter be referred to as *Molly's Note Book*. This *Note Book* is in the possession of Mrs. John Carpenter at Keokuk. The book is not paged.

²⁴ *Muscatine Tri-Weekly Journal*, June 11, 1855.

²⁵ Paine's *Mark Twain: A Biography*, Vol. II, p. 104.

²⁶ Clemens's *Autobiography*, Vol. II, p. 287.

²⁷ *Molly's Note Book*.

²⁸ The old brick building, still being used as a hotel, stands at the corner of First and Johnson Streets.

Such an arrangement had been made by December 19th, for on that day Orion and his family moved in with his father-in-law, William Stotts, who owned a little brick cottage on Timea Street.²⁹

It would be useless to repeat such information concerning Clemens's early residence in Keokuk as Paine gives in his *Mark Twain: A Biography*. In preparing his chapter on *Keokuk Days* he could draw not only upon what Clemens himself had told him, but also upon Orion's voluminous autobiographical papers which have been mentioned earlier. Yet there are some matters that need to be discussed here either because Paine, having an exceedingly large task before him, necessarily disregarded detail which from the angle of the present investigation assumes significance, or because certain other matters have, since the publication of his book, come to light.

The chief impression one gets from the occasional and fleeting glimpses that remain of Twain's life at Keokuk is that he was thoroughly happy. In whatever light he may have at first regarded his sleeping quarters at the job office, he must soon have felt tremendously pleased with the arrangement. He had never in his life been under less restraint. His mother was in St. Louis, and Orion, having recently become a father, was undoubtedly spending his evenings at home. Besides, Sam was nearly twenty-one now, a bit too old to tolerate a paternal attitude from Orion. There were not even the ordinary obligations of a rooming house to bother about. And then, to cap it all, he had just the sort of company he desired, congenial fellows everyone of them, as ready for a prank as he himself. Henry, we learn from Paine's account, sometimes refused to participate in the more boisterous jokes. But there was Ed Bownell, who slept on the top floor of the building, and

²⁹ *Molly's Note Book*. The cottage still stands at 716 Timea.

Dick Higham³⁰ (not Hingham, as Paine has it), and John Kerr, who will be mentioned in another connection later. Others undoubtedly joined them on special occasions. Professor Isbell, whose music rooms were on the floor below the job office, seems to have been the chief victim. Yet it was he, according to Paine, who in the end won Sam over and induced him to join the singing class.³¹

Whether by pranks or by personality, the fact remains that by mid-winter Sam Clemens was a popular young man in Keokuk. It was on the seventeenth of January, 1856, that he participated in a memorable banquet given by the Keokuk printers at a celebration commemorating the 150th anniversary of the birth of Benjamin Franklin, their patron saint. Fortunately, the newspapers printed a detailed account of the affair, and as a result, Sam Clemens's part in it has been preserved. In the *Keokuk Gate City* for January 19th the following item appears:

As previously announced the Printers of Keokuk, together with a number of invited guests, assembled at the Ivins House on the night of the 17th Inst., for the purpose of celebrating the anniversary of Franklin's birth.

Thereupon follows a minute description of the festival and numerous excerpts from the speeches. The article is, in fact, a formal report of the celebration written by none other than Orion himself, who had unanimously been elected secretary for the occasion. Finally, after all the prominent members of the group had been called upon and had finished their remarks, Sam Clemens was loudly and repeatedly called for, and he responded in a speech "replete with wit and humor, being interrupted by long and continued bursts of applause."

A young fellow by the name of J. C. Fry sat next to Sam

³⁰ *Keokuk Directory*, 1856; Clemens's *Autobiography*, Vol. II, p. 288.

³¹ Paine's *Mark Twain: A Biography*, Vol. I, p. 105.

Clemens that evening. Years later, on the occasion of Twain's visit to Keokuk, he recalled the event and was moved to write his reminiscence of it for the *Gate City*. It runs as follows:

The Ivins House, then our best hotel, . . . was the scene of the gathering. The banquet hall was elaborately decorated and around the tables were seated not only the employees of the various printing offices, but a larger company of invited guests. The writer was then an apprentice in the office of the *Evening Times*. . . . After the banqueters had done ample justice to the elaborate bill of fare, the "feast of reason and the flow of soul" began. Speeches were made by Hon. J. B. Howell, founder of the *Gate City*, A. T. Walling of the *Evening Times*, Belding, Leighton, Lynch, Edwards, Reddington, Orion Clemens and others. . . . Toward the close or wind-up of the affair someone suggested a speech from a young man whose well-known bashfulness and timidity should have shielded him from having the attention of the whole company thus directed toward him. Seated next to him I detected his embarrassment as his tormentors still kept up their clamour for a speech. Blushing and slowly getting upon his feet, stammering in the start, he finally rallied his powers, and when he sat down, his speech was pronounced by all present a remarkable production of pathos and wit, the latter, however, predominating, convulsing his hearers with round after round of applause. That, he acknowledged to me the other day, was the first speech of his life.³²

As a result of this speech, Paine reports, Sam was pressed into a debating society and created considerable attention when he arose to take the floor. It was definitely a beginning in a direction which, at a later day, led to incomparable success.

And now attention centers on one of the most interesting episodes in Sam Clemens's life at Keokuk, an episode which, if all the facts were known, might assume true significance. To present the matter clearly it will be necessary

³² *Keokuk Gate City*, January 17, 1885.

to give a bit of preliminary history. In 1920, Judge C. A. Cunningham died at Carrollton, Missouri. His sister, Mrs. Catherine Blackwell, while going through his papers, discovered among other valuables, in a japanned tin box, five letters, all of which had been written by Samuel Clemens. The salutation on each was "My Dear Friend Annie". According to Mrs. Blackwell, the person so addressed had been Annie Taylor, a Keokuk girl, who in 1868 had married her brother, Judge Cunningham. Three of the letters Mrs. Blackwell sent to distant relatives of the Cunninghams whose whereabouts in 1926 she did not know. Of those letters she kept no copies. Of the two that remain one is dated May 25th, with no year given, the other is dated June 1, 1857.³³ It was Mrs. Blackwell's opinion that all five of the letters were written in May or June of 1857. If that were true, none of them could have an Iowa origin, for Sam Clemens definitely left Iowa prior to November 14, 1856, when he visited Cincinnati.³⁴ But a more careful examination of the May 25th letter leads one to conclude that it was not only written in 1856, but also written from Keokuk. The letter, despite its length, is of sufficient interest to be given in full.

Sunday, May 25th.

My Dear Friend Annie:

Well, Annie, I was not permitted to finish my letter Wednesday evening. I believe Henry, who commenced his a day later, has beaten me. However, if my friends will let me alone I will go through today. Bugs! Yes, B-U-G-S! What of Bugs? Why, perdition take the bugs! That is all. Night before last I stood at the little press until nearly 2 o'clock, and the flaring gas light over my head attracted all the varieties of bugs which are to be found in natural history, and they all had the same praiseworthy reck-

³³ *The Kansas City Star Magazine*, Vol. II, No. 35, page 1, *passim*.

³⁴ His second "Snodgrass" letter, written in Cincinnati, is dated November 14, 1856.

lessness about flying into the fire. They at first came in little social crowds of a dozen or so, but soon increased in numbers, until a religious mass meeting of several millions was assembled on the board before me, presided over by a venerable beetle, who occupied the most prominent lock of my hair as his chair of state, while innumerable lesser dignitaries of the same tribe were clustered around him, keeping order, and at the same time endeavoring to attract the attention of the vast assemblage to their own importance by industriously grating their teeth. It must have been an interesting occasion — perhaps a great bug jubilee commemorating the triumph of the locusts over Pharaoh's crops in Egypt many centuries ago. At least, good seats, commanding an unobstructed view of the scene, were in great demand; and I have no doubt small fortunes were made by certain delegates from Yankee land by disposing of comfortable places on my shoulders at round premiums. In fact, the advantages which my altitude afforded were so well appreciated that I soon began to look like one of those big cards in the museum covered with insects impaled on pins.

The big "president" beetle (who, when he frowned, closely resembled Isbell when the pupils are out of time) rose and ducked his head and, crossing his arms over his shoulders, stroked them down to the tip of his nose several times, and after thus disposing of the perspiration, stuck his hands under his wings, propped his back against a lock of hair, and then bobbing his head at the congregation, remarked, "B-u-z-z !" To which the congregation devoutly responded, "B-u-z-z !" Satisfied with this promptness on the part of his flock, he took a more imposing perpendicular against another lock of hair and, lifting his hands to command silence, gave another melodious "b-u-z-z !" on a louder key (which I suppose to have been the key-note) and after a moment's silence the whole congregation burst into a grand anthem, three dignified daddy longlegs, perched near the gas burner, beating quadruple time during the performance. Soon two of the parts in the great chorus maintained silence, while a treble and alto duet, sung by forty-seven thousand mosquitoes and twenty-three thousand house flies, came in, and then, after another chorus, a tenor and bass duet by thirty-two thousand locusts and ninety-seven thousand pinch bugs was sung — then another grand chorus, "Let every Bug Rejoice and Sing" (we used to sing "heart" instead of "bug"), terminated the performance, during which eleven treble singers split

their throats from head to heels, and the patriotic "daddies" who beat time hadn't a stump of a leg left.

It would take a ream of paper to give all the ceremonies of this great mass meeting. Suffice it to say that the little press "chawed up" half a bushel of the devotees, and I combed 976 beetles out of my hair the next morning, every one of whose throats was stretched wide open, for their gentle spirits had passed away while yet they sung — and who shall say that they will not receive their reward? I buried their motionless forms with musical honors in John's hat.

Now, Annie, don't say anything about how long *my* letter was in going, for I didn't receive *yours* until Wednesday — and don't forget that I *tried* to answer it the same day, though I was doomed to fail. I wonder if you will do as much?

Yes, the loss of that bridge almost finished my earthly career. There is still a slight nausea about my stomach (for certain malicious persons say that my heart lies in that vicinity) whenever I think of it, and I think I should have evaporated and vanished away like a blue cloud if John — indefatigable, unconquerable John — had not recovered from his illness to relieve me of a portion of his troubles. I think I can survive it now. John says "der chill kill a white boy, but sie (pronounced see) can't kill a Detchman."

I have not now the slightest doubt, Annie, that your beautiful sketch is *perfect*. It looks more and more like what I suppose "Mt. Unpleasant" to be every time I look at it. It is really a pity that you could not get the shrubbery in, for your dog fennel is such a tasteful ornament to any yard. Still, I am entirely satisfied to get the principal beauties of the place, and will not grieve over the loss. I have delighted Henry's little heart by delivering your message. Give the respected councilman the Latin letter by all means. If I understood the lingo well enough I would write you a Dutch one for him. Tell Marie I don't know what Henry thinks of the verb "*amo*," but for some time past I have discovered various fragments of paper scattered about, bearing the single word "*amite*," and since the receipt of her letter the fragments have greatly multiplied and the word has suddenly warmed into "*amour*" — all written in the same hand, and that, if I mistake not, Henry's, for the latter is the only French word he has any particular affection for. Ah, Annie, I have a slight horror of writing essays myself; and if I were inclined to write one I should be

afraid to do it, knowing you could do it so much better if you would only get industrious once and try. Don't you be frightened — I guess Marie is afraid to write anything bad about you, or else her heart softens before she succeeds in doing it. Don't fail to remember me to her for I perceive she is aware that my funeral has not yet been preached. Ete paid us a visit yesterday, and we are going to return the kindness this afternoon. Good-by.

Your friend,

Sam³⁵

If it is assumed that the letter was written in May of 1857, how can the statement near the beginning that he stood at the little press till nearly 2 o'clock be explained? Obviously he is referring to a printing press. But at what printing press would he be working in May of 1857 when it is known that a month earlier he had already joined Bixby as a cub pilot on the river? But the matter becomes simple when it is assumed for the moment that the letter was written in Keokuk. The little press and the glaring gas light fit in there very well. Furthermore, two of the characters mentioned, can be identified with persons immediately associated with Sam Clemens at the Ben Franklin job office in May of 1856. Henry, of course, is his own brother. John proved a bit more puzzling, for neither Paine nor Clemens mention any one by that name in connection with the Keokuk days. Higham is mentioned, and a German apprentice boy called Fritz, but no John. Fortunately, however, Orion's *Keokuk Directory*, of which more is to be said later, throws light on the matter, for on page 80 is found this entry:

Kerr John W, printer, 52 Main Street.

It does not necessarily follow that John of the letter, who is obviously German, and John W. Kerr, printer, whose family name suggests German origin, are the same people, but the likelihood is great. And in view of the fact that

³⁵ *The Kansas City Star Magazine*, Vol. II, No. 35, page 4.

"Fritz", the printer apprentice mentioned by Paine, is not to be found in the Directory at all, is it not probable that he and John are, in fact, one and the same person?

If, then, Sam Clemens was writing from Orion's job office at Keokuk, where was Annie Taylor, whom Mrs. Blackwell described as a Keokuk girl? Two clues within the letter itself suggested an answer. Near the close Sam says, "Ah, Annie, I have a slight horror of writing essays myself; and if I were inclined to write one I should be afraid to do it, knowing that you could do it so much better if you would only get industrious once and try." It appears, then, that Annie Taylor was away at school and that in a previous letter she had expressed a horror of writing essays. Indeed one could hardly be charged with credulity for entertaining the notion that she had asked him to write an essay for her. And if one then rereads the passage, "I have not the slightest doubt, Annie, that your beautiful sketch is perfect. It looks more and more like what I suppose 'Mt. Unpleasant' to be every time I look at it", it becomes quite apparent that the school Annie Taylor was attending was Iowa Wesleyan University at Mt. Pleasant, which she, in true school-girl fashion, termed "Mt. Unpleasant".

There need, however, be no uncertainty concerning her enrollment at Iowa Wesleyan University in 1856. The student register for that year fortunately still exists. A search through its pages revealed not only the name of Annie Elizabeth Taylor but also that of her nineteen-year-old sister, Mary Jane, undoubtedly the girl referred to in the letter as Marie.³⁶

As a source of information about individual students, the 1856 register is remarkably limited, yet, curiously enough,

³⁶ The Iowa Wesleyan record does not state that the two girls are sisters, but the obituary notice of the death of Annie Taylor, later Mrs. C. A. Cunningham, shows this to be true. The notice appears in the *Weekly Democrat*, Carrollton, Missouri, January 28, 1916.

the entries concerning Annie are of precisely such a nature as one might infer from a careful perusal of the letter of Sam Clemens. It appears that she was at Mt. Pleasant for only two terms, the spring and fall of 1856. According to Mrs. Blackwell, Annie and Mary Jane both completed their education at Lindenwood College, St. Charles, Missouri. No entries of courses and grades were made in the register for the spring term, but the fall term entries show that Annie was taking music, algebra, Latin grammar, and grammar lessons (presumably English). With music, Latin, and algebra she appears to have had at least fair success, but not so with grammar lessons, in which she scored a conspicuously low grade.³⁷ The observation is interesting when one recalls Sam's admonition about industry and the obvious implication in the letter that Annie had a horror of theme writing. Even more interesting, however, is her low deportment record followed by the illuminating comment, the only one of its kind on the page, "Very irregular at prayers & rec." If one may assume that Annie Taylor's unrecorded spring-term record was in any measure comparable to that of the fall term, it is little wonder that she feared Marie might be writing bad things about her in letters to friends at home and that Sam Clemens might venture to suggest that she become more industrious.

Further light as to the identity of Annie Taylor was not forthcoming from the Iowa Wesleyan records. Nor did the *Keokuk Directory* for 1856, published by Orion Clemens, offer any aid. According to Mrs. Blackwell, Annie Taylor was the daughter of Hawkins Taylor, one of the most prominent of Iowa's early pioneers and for many years a resident of Keokuk. He was a member of Iowa's first territorial legislature, one of the incorporators of the town of West Point, a man interested in education, and a rabid

³⁷ *Register of Students, Iowa Wesleyan University, 1856, page 22.*

prohibitionist.³⁸ In 1857 he was elected mayor of Keokuk. That Sam Clemens knew the Taylor family well is very probable since the Taylors lived within a block of the Stotts family, with whom Orion lived during most of 1856, and in the same neighborhood as the Creels and the Pattersons, intimate friends of Sam Clemens. Nothing has been found, however, to bear out Mrs. Blackwell's assertion that Hawkins Taylor was a steamboat captain and that Sam Clemens was, therefore, "naturally drawn toward the pretty, laughing daughter of a man who occupied so enviable a position." Nor is it likely that she is correct in her impression that the Taylors and the Clemens's were connected by marriage, that Sam and Annie had been friends several years, or that he knew her before he ever went to Keokuk. An earlier and prolonged friendship could have been possible only at Hannibal, Missouri, prior to 1853, the year Sam Clemens departed for the East. Yet the 1856 census returns of Jackson Township, Lee County, show that the Taylor family lived continuously in the State of Iowa for twenty years.

Internal evidence in the second letter to Annie Taylor, dated from New Orleans, June 1, 1857, would indicate that she was at Keokuk at the time. Neither she nor her sister were students at Iowa Wesleyan at that date. Whether or not they had already enrolled at Lindenwood College, St. Charles, Missouri, where they continued their studies, is uncertain and of no particular significance. Much more interesting, so far as Sam Clemens and Annie Taylor are concerned, is Sam's unmistakable tenderness for her, and his frank attempt to renew a correspondence which had flourished and given him so much happiness during the Keokuk days. As for Annie Taylor, the fact that she saved the

³⁸ *The Washington Post*, November 8, 1893; *Stiles's Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa*, p. 119.

letters during the many years of Sam's obscurity, and even after her own marriage may certainly be taken as indicative of more than ordinary sentiment with regard to them. The letter from Sam Clemens to Annie Taylor written at New Orleans follows.

New Orleans,

June 1, 1857.

My Dear Friend Annie: — I am not certain what day of the month it is (the weather being so warm), but I expect I have made a pretty close guess.

Well, you wouldn't answer the last letter I wrote from Cincinnati? I just thought I would write again, anyhow, taking for an excuse the fact that you might have written and the letter miscarried. I have been very unfortunate with my correspondence; for during my stay of nearly four months in Cincinnati I did not get more than three or four letters besides those coming from members of our own family. You did write once, though, Annie, and that rather "set me up," for I imagined that as you had got started once more you would continue to write with your ancient punctuality. From some cause or other, however, I was disappointed — though it could hardly have been any fault of mine, for I sat down and answered your letter as soon as I received it, I think, although I was sick at the time. Orion wrote to me at St. Louis, saying that Marie told him she would correspond with me if I would ask her. I lost no time in writing to her — got no reply — and thus ended another brief *correspondence*. I wish you would tell Marie that the Lord won't love her if she does so.

However, I reckon one page of this is sufficient.

I visited the French market yesterday (Sunday) morning. I think it would have done my very boots good to have me half a dozen Keokuk girls there, as I used to meet them at market in the Gate City. But it could not be. However, I did find several acquaintances — two pretty girls, with their two beaux — sipping coffee at one of the stalls. I thought I had seen all kinds of markets before — but that was a great mistake — this being a place such as I had never dreamed of before. Everything was arranged in such beautiful order, and had such an air of cleanliness and neatness that it was a pleasure to wander among the stalls. The

pretty pyramids of fresh fruit looked so delicious. Oranges, lemons, pineapples, bananas, figs, plantains, watermelons, blackberries, raspberries, plums, and various other fruits were to be seen on one table, while the next one bore a load of radishes, onions, squashes, peas, beans, sweet potatoes — well, everything imaginable in the vegetable line — and still further on were lobsters, oysters, clams — then milk, cheese, cakes, coffee, tea, nuts, apples, hot rolls, butter, etc. — then the various kinds of meats and poultry. Of course, the place was crowded (as most places in New Orleans are) with men, women, children of every age, color and nation. Out on the pavement were groups of Italians, French, Dutch, Irish, Spaniards, Indians, Chinese, Americans, English, and the Lord knows how many more different kinds of people, selling all kinds of articles — even clothing of every description, from a handkerchief down to a pair of boots, umbrellas, pins, combs, matches — in fact, anything you could possibly want — and keeping up a terrible din with their various cries.

Today I visited one of the cemeteries — a veritable little city, for they *bury* everybody *above* ground here. All around the sides of the inclosure, which is in the heart of the city, there extends a large vault, about twelve feet high, containing three or four tiers of holes or tombs (they put the coffins into these holes endways, and then close up the opening with brick), one above another, and looking like a long 3 or 4 story house. The graveyard is laid off in regular, straight streets, strewn with white shells, and the fine, tall marble tombs (numbers of them containing but one corpse) fronting them and looking like so many miniature dwelling houses. You can find wreathes of flowers and crosses, cups of water, mottoes, small statutes, etc., hanging in front of nearly every tomb. I noticed one beautiful white marble tomb, with a white lace curtain in front of it, under which, on a little shelf, were vases of fresh flowers, several little statuettes, and cups of water, while on the ground under the shelf were little orange and magnolia trees. It looked so pretty. The inscription was in French — said the occupant was a girl of 17, and finished by a wish from the mother that the stranger would drop a tear there, and thus aid her whose sorrow was more than one could bear. They say that the flowers upon many of these tombs are replaced every day by fresh ones. These were fresh, and the poor girl had been dead *five years*. I spent half an hour watching the chameleons — strange animals, to

change their clothes so often. I found a dingy looking one, drove him on a black rag, and he turned black as ink — drove him under a fresh leaf and he turned the brightest green color you ever saw. I wish you would write to me at St. Louis (I'll be there next week), for I don't believe you have forgotten how yet. Tell Marie and Ete "howdy" for me. Your old friend,

Sam L. Clemens.

P. S.—I have just returned from another cemetery — brought away an orange leaf as a memorial — I inclose it.

The next glimpse of Sam Clemens in Keokuk comes from a letter dated June 10, 1856, to his mother in St. Louis.³⁹ Affairs at the job office were not going smoothly. Orion's unsystematic business habits were throwing things into a jam, and work on the *Directory*, then nearing completion, was interfering with the regular job work, the responsibility of which appears to have rested chiefly upon Sam.⁴⁰ The letter contains the first hint of Sam's dissatisfaction with his work and of Orion's methods which a year later contributed to his business failure.⁴¹

Orion's *Directory*, the first ever published for Keokuk, was off the press and for sale by July 12, 1856.⁴² Its reception, if not enthusiastic, was at least cordial. It sold for a dollar. Comment, on the whole, was favorable. It was observed, however, that it contained the names of men only (which is nearly true), and that the list of improvements was five hundred per cent too small.⁴³ But our interest in the *Directory* lies not in the measure of its adequacy or

³⁹ Paine's *Mark Twain's Letters*, Vol. I, p. 32.

⁴⁰ Paine mistakenly assumes that the *Directory* mentioned in this letter was the second edition. Orion's second edition appeared in 1857, a copy of which still exists and may be found in the Keokuk Library.

⁴¹ Orion sold the job office to H. H. Belding in June, 1857.—*Molly's Note Book*. For Mark Twain's statement as to the cause of Orion's failure see his *Autobiography*, Vol. II, p. 290.

⁴² *Keokuk Post*, July 12, 1856.

⁴³ *Keokuk Post*, July 12, 1856.

inadequacy, but in the fact that it bears the irrepressible touch of Sam Clemens's spirit of humor. The point of the joke which led him to write himself down as Samuel L. Clemens, *Antiquarian*, is lost. Paine does not know, and so far no attempts at an explanation have been encountered. Probably Twain himself had forgotten it, for when he was shown a copy of the *Directory* in 1885, he did not suggest what the nature of the joke was.⁴⁴

Before passing on to Sam Clemens's last extant letter of the Keokuk period, dated August 5, 1856, it may be well at this time to consider a remark he is supposed to have made in 1857 when he offered his services as a cub pilot to Horace Bixby. In reply to Bixby's request for five hundred dollars to teach Clemens the river, Sam is reported to have said, "Gee whillikens! he! he! I ain't got \$500, but I've got five lots in Keokuk, Iowa, and 2000 acres of land in Tennessee that is worth two bits an acre any time. You can have that if you want it."⁴⁵ To anyone familiar with the great Keokuk boom of 1855-1856, it appears easily credible that Sam Clemens might have, somehow, despite the fact that Orion could not afford to pay him much in the way of wages, acquired lots. Colonel J. M. Reid, who has given some vivid accounts of the boom, writes: "The rise of property which came up to fabulous prices in Keokuk, commenced in 1855. In 1856 people went wild, and strangers from abroad came in hordes. Speculators in real estate had offices on every corner. We had fast horses, fast men, fast women and many adventurers and dead beats. . . . Every little penny dog looked lordly as he sat at the hotel table at dinner and talked of corner lots."⁴⁶

⁴⁴ *Keokuk Gate City*, January 16, 1885.

⁴⁵ Henderson's *Mark Twain*, p. 29; Clemens's *Mark Twain*, p. 34.

⁴⁶ Reid's *Sketches and Anecdotes of Old Settlers and New Comers*, Keokuk, 1876, p. 166.

If Colonel Reid's account appears exaggerated, there is nevertheless evidence that he was not far wrong, but that Sam Clemens's Keokuk was, in the summer of 1856, a hustling little frontier town with a daily pageantry of prairie schooner migration. A member of the *Gate City* staff, looking out the office window about ten o'clock of the morning of June 5, 1856, reports that he saw something over thirty prairie schooners, besides any number of carts, wagons, and drays.

Despite the likelihood that Sam might have acquired possession of some lots in Keokuk during these stirring days, no supporting evidence can be found. Although Orion figures in some property transactions at this time, the records of the county recorder's office at Keokuk are silent as to Sam.

The letter of August 5, 1856, written to his brother Henry, who, it appears, was temporarily away, brings one within sight of Sam Clemens's departure from Keokuk. In editing it, Paine omitted a portion at the beginning, a portion which one can not help feeling would have given a glimpse of Sam's culminating dissatisfaction with the progress of affairs at Keokuk, particularly with regard to the job office. The fragment printed by Paine announces with almost grim determination the plans for a trip to Brazil.⁴⁷

Associated with Clemens on the proposed adventure were two others, a man named Ward, and a Doctor Martin. Ward has not been further identified, but Martin was probably J. S. Martin, a member of the local board of health and a lecturer on chemistry and toxicology on the faculty of

⁴⁷ The purpose of the Brazilian adventure is given by Twain in his *Autobiography*, Vol. II, p. 289.—"I had been reading Lieutenant Herndon's account of his explorations of the Amazon and had been mightily attracted by what he said of cocoa. I made up my mind I would go the head waters of the Amazon and collect cocoa and trade it in and make a fortune."

the Iowa Medical College.⁴⁸ The plan was that Clemens and Ward were to leave Keokuk about the middle of October, to proceed to New York or New Orleans, and to start from there to the Amazon at once. Martin was to follow in April. The letter tells us how Sam was secretly trying to raise money among certain of his friends and keeping Orion in the dark as to his intentions. The venture, however, never materialized. "His two associates", says Paine, "gave up the plan, probably for lack of means."⁴⁹ But it appears that Sam, when he left Keokuk, planned eventually on going through alone.⁵⁰

The exact date of Sam Clemens's departure from Keokuk is not known. Paine is of the opinion that he left sometime in November,⁵¹ that is to say, between the time that Sam found a fifty dollar bill on the streets of Keokuk, and November 14th, the date of Sam's first "Snodgrass" letter from Cincinnati to the *Keokuk Post*. Since the Snodgrass letters are useful at this point only in so far as they help to establish the date of Clemens's departure, further discussion of them will appear later. But Paine was wrong in assuming that the first Cincinnati letter was the very first of Sam's intended series, for an earlier letter dated October 18, 1856, and published in the *Post* on November 1st, has since been discovered.⁵² Paine was aware, of course, from

⁴⁸ Rees's *Description of Keokuk*, published September 1, 1855, at the *Keokuk Daily and Weekly Times* office and incorporated in a volume called *Keokuk Pamphlets* in 1883 by C. F. Davis. The information about Doctor Martin is to be found in an advertisement of the Iowa Medical College. The page is not numbered.

⁴⁹ Paine's *Mark Twain's Letters*, Vol. I, p. 35.

⁵⁰ Clemens's *Autobiography*, Vol. II, p. 288.

⁵¹ Paine's *Mark Twain's Letters*, Vol. I, p. 35.

⁵² Paine was misled, probably by depending too largely upon Thomas Rees for his information about the Snodgrass letters. Rees's connection with the letters is discussed later.

a statement in the letter of November 14th that Sam had gone down to St. Louis and had then returned to Keokuk again for a day or two. But being unaware of the letter of October 18th, he assumed that all this occurred in November.

In view of these considerations it is highly probable that Clemens's opportune find of a fifty dollar bill on Main Street in Keokuk occurred not on a "mid-winter morning" as he himself describes it, nor on a bleak "November day" as Paine assumed, but on a day during the first half of October. Clemens's account of the find is too entertaining to be omitted.

"One day in the mid-winter of 1856 . . . I was coming along the main street of Keokuk in the middle of the forenoon. It was bitter weather — so bitter that that street was deserted, almost. A light dry snow was blowing here and there on the ground and on the pavement. . . . The wind blew a piece of paper past me and it lodged against a wall of a house. Something about the look of it attracted my attention and I gathered it in. It was a fifty dollar bill, the only one I had ever seen, and the largest assemblage of money I had ever seen in one spot. I advertized it in the papers and suffered more than a thousand dollars' worth of solicitude and fear and distress during the next few days lest the owner should see the advertisement and come and take my fortune away. As many as four days went by without an applicant; then I could endure this kind of misery no longer. I felt sure that another four days could not go by in this safe and secure way. I felt I must take that money out of danger. So I bought a ticket to Cincinnati and went to that city."⁵³

In order to fix as accurately as possible the date of Sam's departure from Keokuk, an effort was made to find in the Keokuk newspapers the advertisement mentioned by Clemens. Complete files of all the newspapers published in Keokuk in 1856 are no longer available, but a careful search

⁵³ Clemens's *Autobiography*, Vol. II, p. 288.

through those that remain, failed to bring it to light. There are several reasons, of course, that would permit one to entertain a legitimate doubt about Clemens's memory in the matter of advertising his find, or for that matter even about the amount of the find. The story quoted above was written in 1906, a full fifty years after the event. Aside from the fact already pointed out that the incident must have occurred before the eighteenth of October rather than in mid-winter; and that consequently the weather would scarcely have been so extremely cold as he pictures it, there is also the discrepancy between the version just given and another in which Twain said, "I advertized the find and left for the Amazon the same day."⁵⁴ Paine says that the latter version may be taken with a literary discount. Any one acquainted with Mark Twain's literary work will readily allow for a considerable portion of embroidery, but why lend more credence to the autobiographic version than to the other when Paine himself felt constrained in a prefatory note to his biography of Twain to say: "Mark Twain's spirit was built of the very fabric of truth, so far as moral intent was concerned, but in his earlier autobiographical writings. . . . he made no real pretence to accuracy to time, place, or circumstance — seeking, as he said, 'only to tell a good story'— while in later years an ever vivid imagination and a capricious memory made history difficult, even when, as in his so-called 'Autobiography,' his effort was in the direction of fact."⁵⁵

Paine's lack of knowledge of the earlier Snodgrass letter led not only to the mistaken assumption regarding the month of Sam's departure from Keokuk, but probably also regarding the inception of the whole Snodgrass series. "He (Clemens) had expected to go from St. Louis to Cin-

⁵⁴ Paine's *Mark Twain's Letters*, Vol. I, p. 35.

⁵⁵ Paine's *Mark Twain: A Biography*, Vol. XXX, p. XV.

cinnati", says Paine, "but a new idea — a literary idea — came to him and he returned to Keokuk. The *Saturday Post*, a Keokuk weekly, was a prosperous sheet giving itself certain literary airs. He was in favor with the management, of which George Rees was the head, and it had occurred to him that he could send letters of his travels to the *Post* — for a consideration. Rees agreed to take letters from him at five dollars each The young traveler, jubilant in the prospect of receiving money for literature, now made another start, this time by way of Quincy, Chicago, and Indianapolis according to his first letter in the *Post*."⁵⁶

But the discovery of the letter of October 18th makes it quite obvious that the series was planned not in St. Louis, but in Keokuk, and that consequently there was nothing inspirationally haphazard about the conception of the plan at all. It is much more reasonable to regard it as one expedient by which Sam Clemens sought to provide himself with money to go on with his Brazilian plans. Furthermore, corresponding with a newspaper can scarcely have been a new idea for, as has already been noted, Orion had recognized Sam's ability in the Fairmount Park sketch three years previously, and had not only printed it in the *Muscatine Journal*, but had suggested that Sam correspond with the paper. In fact, it is hard to escape the notion when one reads his early letters that Sam was himself conscious of his ability in the matter of description, and that he delighted in writing it. Would it not appear much more reasonable that during the days immediately following August 5th, the date of the letter to Henry about the Brazilian adventure, when he was scheming how to raise money, the idea of corresponding for a newspaper came to him quite naturally? For the Snodgrass letters, though literary

⁵⁶ Paine's *Mark Twain: A Biography*, Vol. I, p. 112.

in the sense that Clemens here for the first time employed a literary device — that of pretended illiteracy — are, after all, travel letters depending for their interest chiefly upon descriptive effort. But whether or not the conjecture of how Clemens conceived them is acceptable, the fact remains that he conceived them prior to his departure from Keokuk.

An account of the arrangements arrived at between Clemens and the editor of the *Keokuk Post* with regard to the publication of the letters has been given by Thomas Rees, editor of the Illinois *State Register*, a son of the *Post* editor with whom Clemens dealt:

“The firm of Rees & Son arranged with the young man to write some articles for publication in the *Keokuk Post*, which they mutually agreed would be worth five dollars each. Mr. Clemens started out and took a trip to St. Louis, Quincy, Chicago, and Cincinnati. After writing the first he concluded that he ought to have seven dollars and a half apiece for his articles, and the publishers met him at that price, so he wrote the second article which was published, after which he thought his talent was worth ten dollars per article. As the publishers had reached their limit, . . . negotiations were broken off and the series of articles ended at that point.”⁵⁷

It will be observed that when Rees wrote he was also unaware of the Snodgrass letter of October 18th. Its subsequent discovery in the *Keokuk Post* somewhat upsets his statement about the payments, but that is unimportant. What is important is the fact that arrangements preceded the literary venture and that the following letters were planned in Keokuk and published in the *Keokuk Post*.

Saint Louis, Oct. 18, 1856

Mister Editors: — I want to enlighten you a leetle. I’ve been to the Theater — and I jest want to tell you how they do things down here to Saint Louis — the Mound City, as they call it, owin to its proximity to the Iron mountain and Pilot Knob.

⁵⁷ Rees’s *Sixty Days in Europe and What We Saw There*, p. 400.

Last night as I was a settin in the parlor of my Dutch boardin house in Fourth street (I board among the crouters so as to observe human natur in a forren aspeck) one of my hairy friends proposed that we mought as well go down and see Mr. Nealy play Julius Cesar. Now I had seen Mr. Belding's Atheneum in Keokuk, and allers had a hankerin to get inside of it — so I told the Dutelman (who is for all the world like other humans, eats like 'em, looks something like 'em, and drinks a good deal *more* like 'em) that I was anxious to patronize the Drammer.

We hadn't gone more'n about six squares till we come to a tremenjous dirt-colored house, with earraiges, and omnibuses, and niggers, and penut boys tearin around in front of it, indiscriminate like, and Dutch (I couldn't put in his name without using up too many of your type) said that was the place. We bought some green tickets and follered some fellers up nigh unto four hundred flights of stairs, and finally got into the concern, which was built into three or four round stories, with men and fiddlers in the first, along with a right smart chance of ragged boys, eatin penuts and cussin like militia majors. The second story had men and gals in it, and above there was nothing but masculine genders. We very naturally went into the second story, and got round where the side of the house (least ways I thought it was part of the house) was painted to represent Alexandria, or Venice, or some other small village settin in the water.

Gee Whillikens! Mister Editors, if you could a been there jest then, you'd a thought that either old Gabriel had blowed his horn, or else there was houses to rent in that locality. I reckon there was nigh onto forty thousand people setting in that theatre — and sich another fannin, and blowin, and scrapon, and gigglin, I hain't seen since I arrived in the United States. Gals! Bless your soul, there was gals there of every age and sex, from three months up to a hundred years, and every cherubim of 'em had a fan and an opery glass and a — tongue — probably two or three of the latter weepoon, from the racket they made. No use to try to estimate the oceans of men and mustaches — the place looked like a shoe brush shop.

Presently, about a thousand fellers commenced hammerin on the benches and hollerin "Music," and then the fiddlers laid themselves out, and went at it like forty millions of wood sawyers at two dollars and a half a cord. When they got through the people hol-

lered and stamped and whistled like they do at a demercartie meeting, when the speaker says something they don't understand. Well, thinks I now I've got an old coarse comb in my pocket, and I wonder if it wouldn't take them one-hoss fiddlers down a peg and bring down the house, too, if I'd jest give 'em a tech of "Auld Lang Syne" on it. No sooner said than done, and out come the old comb and a piece of paper to put on it. I "hem'd and haw'd" to attract attention, like, and commenced Doo-doo-do-doo—do-doo. "He, he he," snickered the gals. "Ha, ha, ha," roared the mustaches. "Put him out." "Let him alone." "Go it, old Country." "Say, when did you get down?" and the devil himself couldn't a hearn that comb. I tell you now, I was riled. I throwed the comb at a little man that wasn't saying nothin and ris right up. "Gentlemen and Ladies," says I, "I want to explain. I'm a peacable stranger from Keokuk, and my name is Thomas Jefferson Snodgrass—" "Go it, Snodgrass." "Oh, what a name." "Say, old Country, whar'd you get that hat?" Darn my skin if I wasn't mad. I jerked off my coat and jumped at the little man and, says I, "You nasty, sneakin degenerate great grandson of a ring-tailed monkey, I kin jest lam—" "Hold on there, my friend, jest pick up your coat and follow me," says a military lookin gentleman with a club in his hand, tappin me on the shoulder. He was a police. He took me out and after I explained to him how St. Louis would fizzle out if Keokuk got offended at her, he let me go back, makin me promise not to make any more music durin the evening. So I let 'em holler their darndest when I took my seat, but never let on like I heard 'em.

Pretty soon a little bell rung, and they rolled up the side of the house with Alexandria on it, showin a mighty fine city, with houses, and streets, and sich, but narry fire plug—all as natural as life. This was Rome. Then a lot of onery lookin fellers come a tearin down one of the streets, hurrayin and swingin their clubs, and said they were going to see Julius Cesar come into town. After this they shoved Rome out of the way, and showed the inside of a splendid palace, they call it, and then some soldiers with bob-tailed tin coats on (high water coats we used to call 'em in Keokuk) come in, then some gals (with high water dresses on) and then some more soldiers, and so on, gals and soldiers and soldiers and gals, till it looked like all the Free Masons and Daughters of Temperance in the world had turned out. Finally Mr. Cesar hissself come in with

a crown on, folks called it, but it looked to my unsophisticated vision like a hat without any crown about it. He had a little talk with Antony, durin which he was uncommon severe on a Mr. Cashus (who was a standin within three feet of him, but the derned fool didn't hear a word of it) reflectin on his personal appearance — sayin he had a "lean and hungry look," which was mighty mean in him to say, though he was in fact, for the feller couldn't a looked more like a shadder if he'd a boarded all his life at a Keokuk hotel. It's no use expatiating on every thing they done, so I'll jest mention a few of the things which I happened to see when the gal that sot in front of me took her turkey's tail head dress out of the way a minute to say somethin to the owner of an invisible mustash that had got wilted by coming out into the night air.

Arter a spell, a lot of fellers come out, along with Mr. Cashus, and they all laid their heads together like as many lawyers when they are gettin ready to prove that a man's heirs ain't got any right to his property. Presently Mr. Brutus come a marchin in as grand as a elephant in a menagerie of monkeys, and then the people stamped like Jehu. I kinda liked his looks. He 'peared like a man and a gentleman. The gal with the turkey's tail clapped her spyglass to her eye, and says, "Ther's Brutus — oh, what a mien he has." I didn't like that, so leaning forward, says I, "Madam, beggin your pardon, them other fellers is a consarned sight meaner'n him. There's that Cashus —" "Hold your tongue, sir," yelled the wilted mustasch — and in half a second there was enough double-barrelled opery glasses leveled at me to a blowed me into chunks no bigger'n a mustard seed if they'd only been loaded. Remem-berin the music scrape, I dried up and kept quiet, letten the fellers in the lower story holler at me as much as they wanted. Dr. H. had been settin purty close to me, and I thought I'd get him to explain this time, but I found he'd gone out between the acts to see a intimate friend, and hadn't got back yet.

Cashus and the other fellers was for killin Cesar and makin sausage meat of him cause they couldn't be kings and emperors while he was alive, but Brutus didn't like that way of doin the thing — he jist wanted to kill him like a christian, jist for the good of Rome. Then the people stomped again. It 'peared to me kind of curus that they should kick up sich a noise every time any body raved around and ripped out somethin hifalutin, but went half asleep when anybody was tellin about poor Cesar's virtues.

Arter that, Misses Brutus come out when the other fellars was gone, and like Mr. Clennam at the Circumlocution Office, she "wanted to know." But it warn't no use — Brutus warn't going to publish jest then, and it 'pears that wimmin was the only newspapers they had in those days. You see all them fellars was conspirators, got together to conspirit a little again Cesar, and Brutus didn't consider it healthy to tell the secret to everybody. (Mr. Editors, as I'm acquainted with a right smart chance of gals in Keokuk, why, if it's jest as convenient, I'd rather you wouldn't send your paper only to the men, this week.)

At last it come time to remove Mr. Cesar from office, like they say the Buchaneers are going to do the Fremonsters — extinguish him entirely, — so all the conspirators got around the throne, and directly Cesar come steppin in, putting on as many airs as if he was mayor of Alexandria. Arter he had sot on the throne awhile they all jumped on him at once like a batch of Irish on a sick nigger. He fell on the floor with a percussion that would a made him feel like he'd been ridin bare back on a Keokuk livery stable horse for a month, if he'd lived. When he drapped, the turkey-tailed gal flinched, and grunted a sympathetic "ugh," and everybody in the neighborhood laughed at her. But it wasn't the gal's fault — she had for once got wrapped up in the play, and I spose that was the only part she entirely comprehended, cause I seen her slip down in the street the other day.

Finally, the play was done, and I reached over to the wilted mustache, and says I: "Squire, can you tell me what Mr. Cesar's agoin to play next?" He wheeled hisself around sudden, and says he: "Don Cesar — he be damn'd sir." "Oh, gracious sakes, don't swear so hard," says I, horrified. "I ain't swearin," says he, and he pintoed out the play on the bill of fare — "I said Don Cesar de Bazan, sir." I seen through it, then, in a minnit, so I told him it was sufficient — no apologies wasn't necessary.

I changed my seat now, and took a pew in front, so I could see plum back into the kitchen of the concern, if they should take away the cities and woods and things. Proppin my feet up on the railin, I thought I'd take it comfortable like. Jes then, them fellars in the pit as they call it (and I guess, Mr. Editors, some of 'em 'll get into a dern sight deeper pit than that, afore you git to heaven) went to hollerin "Boots. Boots. Boots." like all natur. Thinks I, that's fun, and I went to hollerin too, though I didn't know wat

it meant. When I got at it they all pitched in louder'n ever, and that gal like to a shook all her tail feathers out a laughin. Dutch says to me, "Take your feet down, you dern ledderhet, it's you vot makes all dish fuss." Dang my buttons if I wasn't a rarin and chargin when I found they was makin fun of me, and I ris right up, puttin my hat on the extreme side of my head, and sticking my thumbs in the armholes of my vest, and commenced a little oration, so — "Gentlemen and Ladies — I'm a peacable stranger from Keokuk, and my name is Thomas Jefferson —" "Put him out." "Hurrah for old Keokuk." "Go it, Snodgrass," yelled the purgatory fellers, and in a twinklin a couple of police had sot me down in the street, advisin me to go to the devil and not to come back there any more. Now, Mister Editors, Saint Louis may fizzle out and be derved.

Yours, with lacerated feelinks,

Thomas Jefferson Snodgrass.

Cincinnati, Nov. 14, 1856.

Mister Editor: — Well, now, dang me skin if I don't feel rather curus, "so far from home and all them that's dear to me", as the bordin-school gals say the first time they write to their friends — still, I ain't takin on about it to speak of — all the difference I kin see is, I feel a little more religious, maybe, when I get a little sick, than I used to.

You know arter going down there to St. Louis, and seein so many wonderful things, I wanted to see more — so I took a notion to go a travelin, so as to see the world, and then write a book about it — a kind o daily journal like — and have all in gold on the back of it, "Snodgrass' Dierrea", or somethin of that kind, like other authors that visits forren parts. I could'nt keep still so at last I went and got a map, so as to find out the shortest way to Cincinnati, and after examin'g of it keerfully, I come to the conclusion that about the best way was to go back to Keokuk, and from Keokuk to Quincy, and from Quincy to Chicago, and from Chicago to Indianapolis, and then down to the end of my ultimate destination. And the result of it all is that I am here, safe and sound, and I would recommend every body to take the same road, and derved if they won't see sights.

Now, as I'm going to say somethin about this voyage, I guess I'll commence at Keokuk, bein'as that's the general startin pint of the

inhabitants of North America. I went down one night to the railroad office there, purty close onto the Laclede House, and bought about a quire of yaller paper, cut up into tickets — one for each railroad in the United States, I thought, but I found out afterwards, that Alexandria and Boston airline was left out — and then got a baggage feller to take my trunk down to the boat, where he spilled it out on the levee, bustin it open and shakin out the contents, consisting of “guides” to Chicago, and “guides” to Cincinnati, and travelers guides, and all kinds of sich books, not excepting a “guide to heaven”, which last aint much use to a feller in Chicago, I kin tell you. Finally, that thar fast packet quit ringing her bell, and started down the river — but she hadn’t gone mor’n a mile, till she run clean up on top of a sand bar, whar she stuck till plum one o’clock, spite of the Captain’s swearin,— and they had to set the whole crew to cussin at last, afore they got her off. That sand bar was a aggravating thing, anyhow, as we was runnin a race with an old feller with a carpet bag, who calculated it was good exercise to walk to Quincy, and he got about half a day’s start of us. However, when we did get off, you ought to a seen that old steamboat slingin sand with them wheels of hern. She’d got her Irish up now, and din’t keer a scratch for bars and nothin else — and away she went walkin down the river on four inches of water, and jumpin over three acre patches of dry land, jest as though she had legs. The old man and her had a mighty tight race of it, and she only saved herself by takin a nigh cut across the bottom, comin in fifteen minutes ahead. We had to get off the boat here, and go in the omnibuses to the cars. My fare down to Quincy was a dollar and a quarter, and portorage about four dollars and a half, which is mighty moderate, and people oughtn’t to complain, for though the packet company makes money, they can’t afford to hire porters at ten dollars a month, and no reasonable human being could expect to have his overcoat keerfully preserved into the baggage room, while he’s eatin dinner, without payin a quarter for it — it’s worth nine cents a minit.

When we got to the depo, I went around to get a look at the iron hoss. Thunderation. It wasn’t no more like a hoss than a meetin house. If I was going to describe the animule, I’d say it looked like — derned if I know what it looked like, unless it was a regular old he-devil, snortin fire and brimstone out of his nostrils, and puffin out black smoke all round, and pantin, and heavin, and

swellin, and a chawin up red hot coals like they was good. A feller stood in a little house like, feedin him all the time, but the more he got the more he wanted, and the more he blowed and snorted. After a spell the feller catched him by the tail, and great Jericho, he set up a yell that split the ground more'n a mile and half and the next minit I felt my legs a waggin, and found myself at t'other end of the string of vehickles. I wasn't skeered, but I had three chills and a stroke of palsy in less than five minutes, and my face had a curus brownish-yaller-green-bluish color in it, which was perfectly unaccountable.

"Well," says I, "comment is superfluous." And I took my seat in the nearest wagin, or car, as they call it — a consarned great long steamboat-lookin thing with a string of little pews down each side, big enough to hold about a man and a half. Jest as I sat down the hoss hollered twice, and started off like a streak, pitchin me head first at the stomach of a big Irish woman, and she give a tremedjust grunt and then ketched me by the head and crammed me under the seat, and when I got out and staggered to another seat, the cars was a jumpin and tearin along at nigh unto forty thousand miles an hour and everybody was a bobbin up and down like a mill saw, and every wretch of 'em had his mouth stretched wide open and looked like they was a laffin, but I couldn't hear nothin, the cars kept sich a racket.

Bimeby they stopped all at once, and then sich a laff busted out of them passengers as I never hearn before. Laffin at me too, that's what made me mad, and I was mad as thunder, too. I ris up, and shakin my fist at 'em, says I, "Ladies and gentlement, look a here, I'm a peaceable stranger —" and away went the train, went like the small pox was in town, jerkin me down in the seat with a whack like I'd been thrown from the moon, and their cussed mouths flopped open and the fellers went to bobbin up and down again. I put on an air of magnanimous contempt like, and took no more notice of 'em and very naturally went to bobbin up and down myself.

I jest took a peep out of the winder, and drat my buttons, if I wasn't astonished at the way that rail road was a gittin over the ground. I tell you, Mr. Editor, it made a rail fence look like a fine tooth comb, and the air actually turned blue in the vicinity. Thinks I if that devil at the other end of the train's going home tonight, it won't take him long to get there. Bimeby the second

clerk came a staggerin in hollerin "Tickets. Tickets." When he come to me I told him I wasn't going to stop—I was going to Chicago. "Well, give me your ticket." "Not by a derned sight," says I. "You can't come any o them tricks on me, old feller. You can't get my ticket and then stick me ashore at the first wood yard your old cook stove stops at." First he got mad, and then he got tickled, but when he found he wasn't making much, he like to a skeered me to death, threatening to throw me overboard—so I yielded in a condescending manner and traded my yaller ticket for a red one, which wasn't Sunday school fashion, where you get ten red tickets for one of tother color. Arter that, he made a regular practice of comin in every two minutes hollerin "Tickets". It's my opinion he's a darn nuisance, and ought to be turned out of the company. If a feller was to travel on that road for a week, that clerk and the peanut boy would pester him to death between 'em.

It didn't take me long to get used to the cars, and then I begun to put on airs like an old traveler—stickin my feet over the back of the next pew, puttin my ticket in my hat band, pretending to go to sleep, and so on, and never lettin on to keer a cent where we was going to. So, when a feller asked me if I thought we would make the connection, not wantin to appear green, I told him "No, dern the connection," but I couldn't imagin what that "connection" meant, no how. Another feller asked me what was the next town, and I told him Chicago. (I didn't know the name of any other place on the road, and I had to tell him somethin, to keep up appearances), and the blasted fool got off there. Served him right—he'd no business going so far away from home without havin his mother along. At last, after skimmin over a pooty big arm of Lake Michigan, they call it—where I couldn't see nothin solid for the cars to rest on—we got to that place Chicago, which they say is Old Nick's local agency for the world. The cars run into a tremendous house, about as big as Warsaw, and as soon as they stopped, more'n three hundred fellers come a cracking their whips around and hollerin: "Baggage for the Massasoit House" and "Carriages for United States Hotel" and "Passengers for the Little Miami Railroad," "Here's carriage for G'lenna 'n Sh'cago Railroad," "Gentlemen going east take Suth'n Mish'gan Indianan Railroad," and so on, every feller hollering as loud as the very Dickens would let him. Directly a feller commenced yellin "This

way, gentlemen. This way with your checks. This way." Then another feller commenced grabbin up trunks and looking at a brass thing hangin to 'em, and hollerin out the number he found on it — then as soon as some feller in the crowd would hand in a number like it, he'd slam the trunk down with all his might in the depo — and he was a pooty strong feller too.

"Two hundred and forty-two, Nor'n cross", "Here — 242" (Slam goes the trunk.) "Nine hundred and sixty-eight, G'lenna and Chicago." "968". "Four hundred and thirty-seven, Ill'noy central." "All right 437." "Say, let that baggage alone." "Where's my hat?" "Oh, thunder, who's seen my wife?" "Gentlemen goin south take seats in the train at the far side of depo — goin east, take seats in cars on middle track." "Put down that trunk — b'longs to Mishigan Central." "You'r a liar." "You'r another," and away they go at it, pitchin into each other like dogs, till the depo police pitches into them and takes 'em off to the watch house.

Now its amusin to notice how keerful them fellers is with baggage (that's a kind of sarcastified remark — understand). I see 'em knock a hole in the floor — 3 inch oke plank — with a trunk not much bigger'n a carpet sack — and that's a unpolished fact. I shivered there considerable of a spell, waiting for my baggage, and finally got the bottom half of my trunk, what had the check on it, and bimeby my vallis made its appearance, with shirts and cravats hangin out at one end, and socks and collars at t'other — lookin considerable like a Irishman that's jest got out of a New Orleans l'ection riot — and dern my cats if I'd a knowd it was a vallis at all, only for a piece of my name what got left on the end of it, (by mistake, spouse) for it didn't look no more like that article than a steembote. After I got the balance of my trunk, I shoved out for the Massasawit House, and put up for a spell.

I know it's fashionable to describe hotels, and tell how much they cost, but I reckon it aint necessary for me to do so — specially as I don't know nothin about that hotel, only — they charge enuff. Chicago's a great place, but I ain't going to say nothing about it, only jest this, that when you feel like tellin a feller to go to the devil, tell him to go to Chicago — it'll anser every purpose, and is, perhaps, a leetle more expensive.

Next day I started for Cincinnati — and as this letter is growed pooty long, I'll only say that there's more blacksmith shops in

Indiana than anywhere else in the world, and I calculate we stopped at every dern one there was in the whole state. The cars would run about three hundred yards, and holler and stop — and so on till we got to Indianapolis, and took the midnight thunder-an-lightnin train, and arter that we come a tearin down here at the rate of four hundred and thirty-seven miles a minute, leavin the rail track red hot behind us — in some places it melted.

Your's, what's left of me.

Snodgrass.

Cincinnati, March 14th, 1857.

Mister Editor: — It must be, that some people think your umble sarvent has “shuffled off this mortal quile” and bid an eternal adoo to this subloony atmosphere — nary time. He aint dead, but sleepeth. That expreshun are figerative, and go to signerfy that he's pooty much quit scribblin.

It's been cold here, Mr. Editor. And when I asserts that fact, people can take it for granted I mean its been mighty nasty partieler cold — a considerable sight coler'n coffee at the seckond table. Fust it snowed, and snowed, and snowed, tell you actilly couldn't see the mud in the streets. Next it kivered up and blotted out the sines, and continued on tell all the brick houses looked like the frame ones, and visy versy — and at last, when it did stop, you couldn't a told Cincinnati from the Rocky Mountains in January. The Ohio river was friz to the bottom — which warn't no great shakes in the freezing line, considering that krick aint never got more'n forty barls of water in it, no how — and the steamboats were friz to the airth, and the Dutch was friz to the sour-kraut kegs, and the preachers was friz to thor parsonages, and somehow I think the Devil hisself got ketched and had to winter in the durned uncomfortable town.

Well, in course, coal went up and fires went down. People couldn't neither beg, nor steal, nor borry the preshus truck — and buyin was clean out of the question, seein that they asked seventeen cents an ounce for it, and not keerin much about sellin it anyhow. Things got to sich a pass that the poor porshuns of the sitizens wanted the Mayor to discontinuer the use of the steam fire injuns, cause when a house would conflaggerate, them eternal noosances would drowned it out afor they could git warm. Gold dust warnt worth no more'n coal dust, and in course the blasted Jews got to

adulterating the fuel. They mixed it up half and half — a tun of coal dust to a tun of ground pepper, and sold it for the genuine article. But they ketched them at it at last, and they do say that some of the indignant inhabitants took a hoss whip and castriated one of 'em till he warn't fit to assoshiate with Jeemes Gorden Ben-nett hisself.

After a spell, the City Council concluded to try ther hand at relievin the sufferin community. They laid in a stock of coal, and advertised to sell cheap, and to poor devils only. But it was curus to see how the speekalation worked. Here's a instance: A indigent Irish woman — a widow with nineteen children and several at the breast, accordin to custom, went to the Mayor to get some of that public coal. The Mayor he gin her an order on the Marshal; the Marshal gin her an order on the Recorder; Recorder sent her to the Constable; Constable sent her to the Postmaster; Postmaster sent her to the County Clerk, and so on, tell she run herself half to death, and friz the balance, while she had sixteen places to go yet, afore she could git the coal. But that is only just half of the little circumstance. You see that Widder had been trotting after Recorders and Postmasters and sich for considerable more'n a good while — and the Curoner's jury that sot on her scraped up the orders she'd got and sold 'em to the paper mill at three cents a pound, clearin about four dollars and a half by the speculation. Now only think what a mercantile education mought a done for the unfortunit daughter of Eve. (I say "daughter of Eve," meanin it as kinder figerative or poetastical like, for I forgit, now, whether the Irish come from our Eve, or not.)

I reckon I orter tell you about the little adveniter I had tother night, but drat if it don't work me worse'n easter oil just to think of it.

I was a santerin up Walnut Street, feelin pooty nice, and hummin to myself that good old Metherdis hymn I learnt at class meetin in Keokuk, commencin:

"Boston isn't in Bengal,

And flannel drawers aint made of tripe:

Lobsters don't wear specs at all,

And cows don't smoke the German pipe,"

when a young lady with a big basket birsted in on my revery. "I say, mister," says she, "is your name —" "Snodgrass," says I, wonderin how on airth she knowed me. "The very man I wanted

to see," says she. "The dev — dickens," says I. "Yes, and I've always hearn you was sich a good, kind feller, that I allers wanted to have a talk with you." "By jings, madam, I am glad to hear you talk so. I'm just as much at your service as if I was your own grandmother." "Yes, you'r just the man, and now I've got something to tell you. But bless my life (lookin skeered), I've left my portmoney in the grocery around the corner. If you would please to hold my basket tell I go and git it, Mr. Snobrag, I'll never forget you." "With the allfiredest pleasure in the world, madam — but Snodgrass," says I, correctin her as I took the big basket. And away she went around the corner, leavin me as happy as a dog with two tails. Thinks I, I'll galant that gal home, and then (she's already struck with my personal appearance) she'll ask me to come again — spect she's rich as a Jew. No doubt the old man'll take a likin to me (changing the heavy basket to tother arm) and he'll ask me to call around. In course I'll come, and come often, too, and when about a dozen of that gal's sweethearts find me a shinin up so numerous they'll challenge me (chargin the basket agin). I'll jest take 'em across the river to Kaintuck and shoot 'em down like pole cats. That'll fetch the old man. He'll think I'm the devil hisself. He'll come and tel me how many banks and railroads he owns, and ask me to marry his darter. And I'll do it — but hold on — by the eternal smash, where's that gal took herself off to? Seems to me she's having a arful chase arter that portmoney of her's. So I shove out arter her, which was dern sensible, considerin she'd been gone a hour and a half.

Pooty soon there commenced the eternalist, confoundest, damnationist kickin in that basket, follered by the eternalist, confoundist squallin that you ever heard on. I run to the gas lamp and jerked off the kiver, and there was the ugliest, nastiest, oneriest he-baby I ever seed in all my life. "Sold, by Jeminy. Dern the baby. Oh Lordy, Lordy, Lordy," says I, blubberin like a three-year-old. "Dang yer skin, don't make sich a racket."

But it wouldn't do to stand there with that basket full of baby lungs, raisin the devil and the perlice all over the neighborhood. So I gathered up the traps and broke for home like a quarter-hoss, cussin at every jump, and mixin it up with what the woman said, and grittin my teeth like a tobbacker worm. "Often hearn of me — lost her portmoney — kind, good man." O Lordy, Snodgrass, you're a fool. "Never forget me." Wish to jeewhillikins I could

forget her. O Lordy, what'll I do with the baby? Snodgrass, you're a blasted, eternal, onmitigated fool. And so I ranted and cussed till I got home to my own room.

Then the thing quit hollerin and I locked the door. Becomin a leetle composed, I took the tongs and lifted the critter out of the basket, so as to get a good look at it. Well, the varmint kept so quiet that it kinda fooled me, and I thought I might ventur on makin a face at it, throwin my hands up like claws and makin a leetle small jump at it, jest by way of revenge, you know. Now right thar is where Snodgrass missed it. Sich a yell as skeered animals sot up — shucks, a shiverree wasn't nothing longside it. In course I had to grab it, to keep it from wakin the dead before Resurrection Day, and I walked it, and tossed it, and cussed it, till the sweat run off my carcass to the amount of a barl at least. O Lordy, warn't I in agony of sufferin?

"Sh-h-h," says I, tossin the brat, "there now, there, there, your mother is coming (singing a leetle occasionally); 'ockey by baby, in the tree top, when the wind blows — there now, poor little dear — when the wind blows — oh, darn your everlastin yaller skin, won't you never dry up?" But it wasn't no go. The baby wouldn't quit cryin, so I sot baby, basket and all under the bed and piled ole clothes on 'em, tell I was pooty certain the cretur wouldn't freeze, if it didn't smuther, and I turned in.

Well, Mister Editor, it's no use harryin up my feelings by dwellin on the onpleasant epox of my kareer, therefore I'll jest mention that arter standing guard over that infant all the next day to keep the sarvent girls from gettin a sight of it, I was ketched by a perlieceman about midnight down to the river, trying to poke the dang thing through a hole in the ice. They raised the dickins about it the day arter. The crowd into the court room let out their opinyons pooty free, and I tell ye I was riled when I hearn a young lady say that "the poor innocent little cherub ort to be put out of the reach of its onnateral father." "Onnateral, thunder," says I, bustin out all at wunst. "Fine the prisoner ten dollars for contempt of court," yells the judge. "Fine and be —" but they didn't let me finish. They lugged me off and locked me up, and never let me out till I promised —

No, sir, I swar I won't tell what I promised them sharks. But twixt you and me somethin dark's goin to happen. It appears to me that that baby'll larn to swim yit afore its six weeks older — pervided it don't perish in the attempt.

I reckon I'll bid you adoo, now, Mister Editor, and go on tryin to find out the meanin of the verse that says: "Of such is the kingdom of Heaven," and several other passyges. "Onnateral father," dern my skin, I wish I war, well, never mind.

Yours, et cetera, Snodgrass.

Keokuk Daily Post, Apl. 10, 1857.

It would appear, then, in the light of the above considerations and the letters themselves, that Sam Clemens made not only one beginning in Keokuk, as Paine asserts, referring to the after-dinner speech which Clemens made at the printers' festival, but also another — that of planning a series of travel sketches, precisely the type of thing upon which Mark Twain's early fame rested. The Keokuk episode was indeed short, shorter even than Paine suspected, for at the most it extended over a period of only fifteen months, yet for Sam Clemens, just on the verge of twenty-one, feeling unquestionably at least a dim perception of his talents, penniless, and receiving from a brother who utterly lacked business ability only uncashable promises, with absolutely no prospects of advancement before him as a printer — for such a Sam Clemens surely the Keokuk episode must have been crucial. It helps the reader to understand the earnest tone in the letter announcing the Brazilian adventure, which was by no means intended to be adventure in the fictional sense, but a young man's desperate scheme to get rich quick. If it was, as has already been noted, a happy period of boyish fun, and perhaps of love making, it was also a period of dissatisfactions and inner turmoil, a period in which Sam Clemens the boy made important concessions to Samuel Clemens the man.

When Clemens returned briefly to Keokuk on his way from St. Louis to Cincinnati, it was probably his last visit until 1867 when he returned there to deliver his "Sandwich Island" lecture. Paine, however, reports another visit, in

1861, following Clemens's career as a soldier in the Confederate Army, and just prior to his departure to Nevada with Orion. It would be profitless to go into a minute calculation of Twain's movements from the time he left the pilot house of his steamboat at St. Louis in the late spring of that year, to July 18th when he and Orion left St. Louis for the West. It seems improbable, however, that Clemens, especially "Lieutenant" Clemens, returned to Keokuk at this time. In view of his recent Southern military connections, it might have proved exceedingly unwise, for during these very days the First Iowa Regiment was going into cantonment there, and Keokuk was tremendously stirred with patriotic fervor. But aside from this consideration, we find in *Molly's Note Book* an entry to the effect that "Orion left Keokuk on the 4th of July to visit his sister P. A. Moffett in St. Louis. There he met and prevailed upon Sam to go to his new home with him."

A final item that relates Sam Clemens to Keokuk during these early years is the publication of the following letter in the *Keokuk Gate City* on November 20, 1861.

Carson City, Nevada Ter.,
Oct. 26, '61.

Dear Mother:

You asked me in your last letter to tell you about the country — tell everything just as it is — no better and no worse — and *do* let nonsense alone. — Very well, then, Ma, since you wasted a considerable portion of your life in an unprofitable effort to teach me to tell the truth on all occasions, I will repay you by dealing strictly in facts just this once, and by avoiding "nonsense" for which you seem to entertain a mild sort of horror.

Thus: "Gold Hill" (which is the name of the finest gold bearing Quartz ledge in this vicinity) sells at \$5,000 a foot, cash down; 'Wild cat' isn't worth 10 cents. And thus: Nevada Territory is fabulously rich in gold, silver, copper, lead, coal, iron, quicksilver, marble, granite, desperadoes, ladies, children, lawyers, christians, gamblers, Indians, Chinamen, Spaniards, sharpers, coyotes, (pronounced as ki yo-ties,) preachers, poets and jackass-rabbits.

Furthermore: it never rains here, and the dew never falls. No flowers grow here and no green thing gladdens the eye. The birds that fly over the land carry their provisions with them. Only the crow and the raven tarry with us. Our city lies in the midst of a desert of the purest, most unadulterated and uncompromising sand — in which infernal soil nothing but that fag-end of vegetable creation, "Sage-brush," is mean enough to grow. If you will take a lillipution cedar tree for a model, and build a dozen imitations of it with the stiffest article of telegraph wire — set them one foot apart and then try to walk through them — you will understand, (provided the floor is covered twelve inches deep with sand,) what it is to travel through a sage-brush desert. — When crushed, sage-brush emits an odor which isn't exactly magnolia, and equally isn't exactly polecat, but a sort of compromise between the two. It looks a good deal like grease-wood, and is probably the ugliest plant that was ever conceived of. It is gray in color. On the plains sage-brush and grease-wood grow to about twice the size of common geranium, and, to my thinking, are very good substitutes for that very useless vegetable. Greasewood is a perfect imitation, in miniature, of the live-oak tree, "baring" the aint of it. As to the other fruits and flowers of the country, there aint any except "tula," a species of unpoetical rush, that grows on the banks of the Carson, — a river, *ma mere*, twenty yards wide, knee-deep, and so villainously rapid and crooked, that it looks like it had wandered into the country without intending it, and had run about in its hurry to get out again before some thirsty man came along and drank it up.

I said we are situated in a flat, sandy desert. True. And surrounded on all sides by such prodigious mountains that when you stand at a distance from Carson and gaze at them awhile, — until, by mentally measuring them, and comparing them with things of smaller size, you begin to conceive of their grandeur, and next to feel their vastness expanding your soul like a balloon, and ultimately find yourself growing, and swelling, and spreading into a colossus, and I say when this point is reached, you look distainfully down upon the insignificant village of Carson, reposing like a cheap print away yonder at the foot of the big hills, and in that instant you are seized with a burning desire to stretch forth your hand, put the city in your pocket, and walk off with it.

Now, although we are *surrounded* by sand, the greater part of

the town is built upon what was once a very pretty grassy spot; and the streams of pure water that used to poke about it in rural sloth and solitude, now pass through our dusty streets and gladden the hearts of men by reminding them that there is at least something here that hath its prototype among the homes they left behind them.

And up "King's Canon," (please pronounce *can-yon*, after the manner of the natives,) there are ranches, or farms, where they say hay grows; and grass, and beets, and onions, and turnips and other "truck," which cows are fond of — yea, and even potatoes grow there — a vegetable eminently proper for human consumption; also cabbages, peas and beans.

The houses are mostly frame, and unplastered; but "papered" inside with flower-sacks sewed together — with the addition, in favor of the parlor, of a second papering composed of engravings cut from "Harper's Weekly;" so you will easily perceive that the handsomer the "brand" upon the flower sack is, the more spirited the pictures are, the finer the house looks. There are several stone buildings here, and in the course of time, Ma, there will be several more. On account of the dryness of the atmosphere, the shingles on the houses warp until they look very much like they would be glad to turn over, and lie awhile on the other side.

Notwithstanding the extraordinary mixture of folks which I mentioned in the beginning of my letter, one can find as good society, here, of both sexes, as any Christian need desire. Please do not forget that.

Behold, I have spoken the truth concerning this land. And now, for your other questions, which shall be answered tersely, promptly, and to the point: First—"Do I go to church every Sunday?" Answer—"Scasely." Second—"Have you a church in Carson?" We have — a Catholic one — but, to use a fireman's expression, I believe "they don't run her now." We have also Protestant service nearly every Sabbath in the schoolhouse. Third—"Are there many ladies in Carson?" Multitudes — probably the handsomest in the world. Fourth—"Are the citizens generally moral and religious?" Prodigiously so. Fifth—"When my old friends ask me how you like Nevada, what reply shall I make?" Tell them that I am *delighted* with it. It is the dustiest country on the face of the earth — but I rather like dust. And the days are very hot — but you know I am fond of hot days. — And the nights are cold — but

one always sleeps well under blankets. And it never rains here — but I despise a country where rain and mud are fashionable. And there are no mosquitoes here — but then I can get along without them. And there are scorpions here — and tarantulas or spiders, as big as a mouse — but I am passionately fond of spiders. Tell them I never liked any country so well before — and my word on it, you will tell them the truth.

Tell Aunt Mary that I am sorry she thought I intended to study law, because to my mind, that is proof positive that her excellent judgment has erred this time. I do not love the law. And besides, there are many young lawyers here, and I am too generous to allow the glare from my lamp of genius to dim the feeble lustre of their two-penny dips. In a word you know — I don't want to be the means of showing them how little the Lord has done for them. And while on the subject, let me hint to the craft that fees in this territory are large — and also; that although there is a shining array of legal talents here, there is still room in the firmament for another star or so.

While at breakfast this morning I received a telegraphic dispatch worded as follows, and have delayed my letter in order to insert it:

China Town, Oct. 26,—8 A. M.

“Dear Sam:—My brother George died this morning at half past two o'clock—come down.

Wm. H. Claggett.”

I shall go down in the stage at noon and render Billy all the assistance in my power, in his hour of distress. For the present, goodbye.

S. L. C.

FRED W. LORCH

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS
AMES IOWA

A CHEROKEE COUNTY PIONEER

Henry Roddis, an early settler in northwestern Iowa and a pioneer in the agricultural development of that section of the State, was born near the battlefield of Naseby in Northamptonshire, England, in 1841. His mother was Scotch and a descendant of John Law of Mississippi Bubble fame. He was educated at the Latin School of Northampton and to the end of his life was proud of having been a student at that ancient institution. In the traditional manner of the British boy of the G. A. Henty stories, he ran away to sea, and made his first voyage to America as a cabin boy. He was then fourteen. He returned to school after this escapade, and was a young man of twenty-three when he came to the United States to serve as a clerk for an uncle who was engaged in the export business in Milwaukee. This uncle, one of the members of the newly organized Milwaukee Board of Trade, is credited with having sent the first shipment of grain direct from Milwaukee to Liverpool. He failed in business in 1865 and his nephew was faced with the necessity of seeking a living for himself and his young wife, for in this same year he had married Clara E. Schlinger, whose people had emigrated from Germany after the Revolution of 1848 and settled in Milwaukee.

It was an unfavorable time to find employment. The War of the Rebellion had just come to a close and the disbanded armies were pouring back to civil pursuits. There were many men but little work or money. The newly enacted Homestead Act now proved its value and among those who took advantage of it was Henry Roddis. He had traveled as an agent for his uncle in southern Wisconsin, northern Illinois, and central Iowa, and in the latter area he now

sought a place to establish his home. He first rented a small farm in Jasper County, Iowa, but remained there for less than a year, going in the spring of 1866 to Cherokee County in northwestern Iowa where he homesteaded on the NW $\frac{1}{4}$ of Section 28, Township 92 (Sheridan Township), Range 41. This rich and now populous settled part of the State then had only a few scattered settlers. The country was a beautiful rolling prairie, carpeted with wild grasses and flowers. Along the course of the Little Sioux River were bold bluffs heavily timbered with hardwood.

Not till 1871 when the Illinois Central Railway was built through to Sioux City did the town of Cherokee begin to appear at the present site. It had at first only a depot and a postoffice. Meriden, five miles north of the Roddis homestead, was then called Hazzard. Cleghorn was four miles distant from the farm. The Spinhorneys, Walters, Pecks, and Zimmers came in the summer of 1868 as well as the Hogans, Reynolds, and O'Boyles. The Lauries, Addeys, and Peter Holm came still later. English, Scotch, German, and Irish names were found in about equal numbers among these early settlers. Laurie was Scotch and one of the daughters was named Annie. Peter Holm was a Dane.

The first shelter built on the Roddis homestead was of sod. This was used for one summer while the owner built a frame house 12 x 20 in size. The lumber for this house was hauled from Sioux City, a distance of seventy miles and a four day journey by team. The main part of the farm house was added in 1875, a structure 24 x 24 with 12 foot posts, a pretentious building for those days and that pioneer community.

The first trees planted on the homestead were from maple seed secured from Perry. They came from the banks of the Sioux River a short distance from the site of the present town of Cherokee. Roddis broke the tough stubborn sod of

the prairie with an axe and planted the seeds. This was in the spring of 1869. At the same time he set out several saplings of maple, cottonwood, and a number of willow cuttings. The same year he set out an orchard. It comprised an area of about one quarter of an acre and contained fifteen Miner plum trees and a number of Hyslop and Transcendent crabs. A single representative of the Wealthy apple, which had recently been developed at Excelsior, Minnesota, was added to the trees of this small plot. This fine apple had been developed by Peter M. Gideon from seed of the Cherry crab that had come from Bangor, Maine. The fruit was first described in the *Western Farmer* in 1869 and it was the account in this periodical that led to the planting of what was probably the first Wealthy in the State of Iowa. At the same time currants, gooseberries, blackberries, and raspberries were planted, and a barberry hedge. The orchard was constantly enlarged and eventually contained about ten acres. The setting out of forest trees was carried on at the same time. By 1885 this grove consisted of about five acres of soft maple, box elder, cottonwood, willow, larch, locust, and Black Hills pine. In addition there was about one acre of black walnut and butternut trees and a vineyard of the same extent containing black, white, and red grapes. A more unusual venture was the planting of a large mulberry grove not only for the fruit but for the purpose of feeding silkworms. The trees, which were the red mulberry variety, grew well and produced a good quality and quantity of mulberries, but the growing of silkworms was a failure due to the long cold winters and the lack of practical knowledge of the subject on the part of the amateur silk grower.

It must be remembered that at this time it was generally believed that many of the varieties of fruit planted could not be grown so far north in the Mississippi Valley. Doubt

and open derision was expressed by many at attempts to grow apples, cherries, vegetables, flowers, and many varieties of shade trees in that climate. The demonstration that they could be grown successfully was of great importance from the standpoint of the horticultural history of the area and many orchards and flower and vegetable gardens of northwestern Iowa would not have been planted so early if it had not been for this work in Cherokee County.

Another Cherokee County pioneer who was equally interested was H. M. Hinckley, a historian of many of the features of the early settlement of the county, who is still living. Mr. Hinckley was a warm friend of Mr. Roddis and like him was greatly interested in horticulture. He was the only early settler who encouraged and assisted the latter and he was himself a pioneer grower of many varieties of fruit in the new county. Both of these men closely followed the course of Professor J. L. Budd's expedition to Russia in search of hardy varieties of apples. It was Professor Budd's contention that as the apple was grown successfully in Russia in a climate as severe as that of northern Iowa, the varieties found there might be suitable for the colder sections of the United States. Professor Budd brought back to Ames the first specimens of the valuable Oldenberg group of apples and established contact with Russian pomologists, particularly Dr. E. Regel and Dr. R. Shroeder that led to the introduction of hundreds of varieties of Russian apples by the Ames Experiment Station and the United States Department of Agriculture. The first Duchess of Oldenberg or Charlamoff apples and the first of the justly celebrated Siberian crabs, the Tetofski, to be planted in Cherokee County were on the Hinckley and Roddis homesteads, and it was these two men who began to grow these important varieties on a commercial scale as well as to distribute grafts and buds to neighbors.

An even more important event was the introduction of red clover. The first crop of this plant grown in Sheridan Township and probably the first in that section of the State was grown on the Roddis farm in 1878. The stand was very poor but the second year there was a splendid crop. The knowledge of the value of legumes as a fertilizing agent was fairly widespread and as soon as this experiment had succeeded clover became a common crop throughout the region.

During the first two summers Mr. Roddis had only one horse but he began to acquire stock as soon as the land was fenced. In 1885 he had a hundred head of grade horned cattle, about a hundred and fifty hogs, a number of sheep, and fifteen horses as well as chickens, ducks, geese, turkeys, guineas, and pea fowls. With this increase in live stock he rented additional land adjacent to the homestead and farmed at that time about five hundred acres. In 1881 he brought in a registered Shorthorn bull, King Philip II, the first in western Cherokee County.

Grain at first was cut with the cradle. This was simply a scythe with a small frame secured back of the blade to catch the grain as it fell. As the cradle was swung back for the next stroke, the grain cut on the previous stroke was allowed to slip off the frame to the ground. The advantage over the scythe was in leaving the grain in a long windrow easily raked into bundles. Binding was done by hand with a wisp of grain. It required a powerful man to swing a cradle all day in heavy grain and two acres was considered a good day's work.

The next improvement in harvesting small grain was the "dropper". This was a horse drawn mower with a cradle to catch the grain and a reel to brush it off the cradle and drop it on the ground, when a sufficient amount for a bundle had accumulated. This was followed by the Marsh har-

vester which was simply a dropper with a platform on which one or two men stood and bound the bundles before they were thrown to the ground. It was really a binder with man power binding. The change to a mechanical binding device came with the advent of the McCormick self binder. The horse drawn mower with sliding sickle appeared in the early 70's as did the horse drawn rake and the riding cultivator.

Corn was then as now the principal Iowa crop. Many of the settlers came from the corn States of Ohio, Indiana, and Illinois and were impressed at once by the adaptability of the soil and climate of Iowa for corn growing. The prairie sod was first broken with a heavy breaking plow often drawn by oxen for there were not many heavy draft horses in the western country and light horses were unsuited to such work. Corn was invariably husked standing in the field and was not cut and shocked as in the smaller fields of timbered country. During several years when the price of corn was but 8 to 10 cents a bushel, it was often burned for fuel. This was before the day of the power corn sheller. After this machine became commonly used, the cobs only were burned. The whole corn made excellent fuel, developing a hot fire that did not have to be replenished as frequently as the faster burning cobs.

Wheat and oats were about the only other field crops commonly grown in addition to corn and hay. The latter was usually timothy. There was a little barley and rye planted and small amounts of buckwheat and millet. Most of the grain was fed to stock and marketed on the hoof. Every fall after the railroad had been built the settlers would ship steers, hogs, and sheep to Chicago. Prices were low compared to the present. In the following table the prices of beef, pork, and mutton as well as the common crop grains are given for 1866, 1876, and 1928.

TABLE OF PRICES OF LIVE STOCK AND GRAIN

	1866	1876	September, 1928
Cattle	\$4.00	\$3.80	\$17.00-\$18.60
Hogs	8.69	6.81	12.15- 13.30
Sheep		3.60	11.75- 15.35
Wheat	1.361	1.032	1.095
Oats	.314	.316	.415
Corn	.54	.446	1.015

No account of agricultural conditions in Cherokee County between 1868 and 1890 is complete without reference to the grasshopper years. This "plague of locusts" came in the late summer of 1873. The greater part of the small grain was in the shock, though about 25 per cent of it was yet standing. The corn was in the tassel and the silk. One old settler described the onslaught by saying that the locusts came down like "the wolf on the fold". Vast clouds of grasshoppers swept in and settled on the fields. There have been many skeptics who have expressed doubts as to the stories that the sun was obscured by the moving masses of insects but the evidence seems clear and certain that such was the case. In any event the grasshoppers ate up the crops in an incredibly short time. They ate the silk and tassel of the corn. All the standing grain was riddled. Grain in the shock escaped in some measure. The pests left in September but returned in the following spring and ruined all the small grain west of the Sioux River. The young growing grain was cut off to the ground. They left again "just ahead of a cold northwest storm" one narrator informed me and never returned in sufficient numbers to entirely destroy the crops though there were some other bad grasshopper years notably in 1876 when they did much damage. This grasshopper was the Rocky Mountain locust, the *Melanoplus spretus* of the entomologists. It was estimated that the States of Nebraska, Iowa, South Dakota, and

Minnesota sustained losses amounting to many millions of dollars in the years from 1873 to 1876 and thousands of farmers in the northern part of the middle west were brought to the point of starvation.

Mr. Roddis was also one of the pioneer school teachers of Cherokee County and taught the school of his own district for nearly thirty years. The occupation of farmer and school teacher went well together, the winter season on the farm furnishing a favorable time for outside duties. He was also the secretary of the township school board for twenty-one consecutive years. Although several times urged to run for a county office or the State legislature, he refused to do so and aside from the chairmanship of the township school board held no other office except that of justice of the peace in which capacity he served many years both in Iowa and Minnesota.

In 1896, with many of the children grown and making homes of their own, Mr. Roddis, then fifty-five years of age, moved to central Minnesota and bought 184 acres of timber land on the north shore of Lake Osakis. This was in Todd County in the hardwood timber belt, the heart of the lake country and one of the most beautiful parts of the State. The work of opening a new farm here was even more difficult than on the Iowa prairie. Towns were relatively near and the country fairly well settled but clearing the land of timber and underbrush was a heavy task. "A strong back and a weak mind" was the formula of the old backwoods-men for the grubbing of stumps. This farm in Minnesota was a fine piece of land, the soil a black sandy loam fertilized by centuries of accumulations of leaf mold and decaying timber. Wheat was the staple crop of farmers. Scarcely any corn was grown, for it was believed that the summers were too short and cold. A settler from the corn belt and an experimentalist in agriculture like Henry

Roddis was not ready to accept such a view. His optimism was justified and he produced a field of six acres that brought in 300 bushels of fine hard corn. This would not be remarkable now but it was looked upon as unusual by farmers of the vicinity at that time. The earlier maturing and finer ears were selected for next season's crop and much seed was sold to neighbors with the result that by actual demonstration as well as by his enthusiastic belief that good corn yields could be obtained in Minnesota, he did much to encourage the growing of this great crop in that section of the State.

The dairy work of Professor T. L. Haecker of the College of Agriculture of the University of Minnesota was beginning to be felt throughout the State at that time and interest in dairy farming was increasing. The building up of a good grade dairy herd and a share in the establishment of a creamery in the north part of Gordon Township were among the tasks to which the former Iowa homesteader devoted himself. He was also a believer in hogs as an adjunct of the dairy herd and was in the habit of citing Lorenzo di Medici as an early exponent of this combination. He also kept a small flock mostly Southdowns and Shropshires (he was particularly partial to the former); he favored Barred Plymouth Rocks as a utility farm fowl but he was opposed to the dual purpose cow. Both by example and voice he was thus an advocate of what we now call diversified farming.

It can be imagined that the man who planted one of the first large orchards, vineyards, and mulberry groves in northwestern Iowa would not forget horticulture in Minnesota. He devoted himself here, however, to small fruits, particularly strawberries, planting an acre on the west side of the knoll on which stood the farm house. Bederwood, Glen Mary, Senator Dunlap, and Warfield were the princi-

pal varieties and the bed proved very prolific. He experimented with the single plant, matted bed, and matted row system and decided in favor of the last. Some of the native wild strawberries were transplanted from the nearby woods to see if their flavor could not be retained and the size of the berry increased by cultivation. Both he and wife were ardent floriculturists and large flower gardens formed a part of both the Iowa and Minnesota farms. Sweet briar roses, peonies, the old fashioned shrubs such as snowballs, lilacs, spireas, flowering currants, and syringas, surrounded the house and in the flower garden were such old favorites as monkshoods, asters, columbines, larkspurs, canterbury bells, gladioli, hollyhocks, golden glows, fox gloves, phlox, and stocks or gilly-flowers. At one time they had seventy varieties of roses alone.

The vegetable garden was richly stocked with every sort of garden crop and included many of the less usual sort of garden products such as okra, salsify, broccoli, parsnips, lentils, kohlrabi, water cress, corn salad, and Brussels sprouts. His green peas were his particular garden pride and he was accustomed in later years to plant three kinds, the celebrated dwarf variety, Tom Thumb, the equally well known Telephone pea, and the large Champion of England. He made new plantings of these every two weeks and had green peas nearly all summer. An attempt to grow peanuts on the Minnesota farm was, however, a failure. The garden always contained many of the potherbs so commonly used in French and continental cookery such as anise, caraway, sage, summer savory, dill, and sweet marjoram. One of the peculiarities of the garden was the attempt to attract bees, butterflies, and humming birds to it. For this purpose he planted the *Monarda didyma*, known to beekeepers as Bee Balm. A plant called the butterfly weed was used to attract butterflies, and larkspur to draw humming birds.

The home itself was rather remarkable. Built on a wooded knoll on the site of an old Indian village, it was a striking object from the lake or the opposite shore. The frame was of oak, the rooms spacious and a square tower had been planned to add to its character as well as its comfort. An area of about twelve acres had been retained about the house as a sort of park, the underbrush having been cleared away and dead and fallen timber removed while the fine trees of the original forest were left standing. Such a place did not take much effort to sell, and an opportunity occurring in 1904, the farm that was bought eight years before at \$9.00 an acre was sold for \$55. A farm directly across the lake was purchased but the death of his wife led him to sell this also. His children were grown and he was alone.

He began to feel the long cold winters of the north and after looking about for some time went to Missouri to develop a 325 acre tract of wood land for one of his married daughters. This land was in the Ozark Mountains near Lebanon, Missouri, in the heart of the Shepherd of the Hills, and Jesse James country. It was covered with oak timber. The task was too much for a man of his years and he was persuaded to go to Miami, Florida, where another daughter was living. Here, however, he would not stay in Miami itself. He had not used a portion of his homestead right and he filed on an 80 acre tract near the present site of the town of Homestead, south of Miami. The building of a house, the planting of grape fruit and orange groves, vegetable and flower gardens, and the study of the semi-tropical agriculture all new and interesting, occupied him to his death which occurred in 1913 from broncho-pneumonia, the "friend of the aged" as Osler has called it. He was ill but four days and had previously been in active and vigorous health. He had pioneered in four States.

We are a little inclined to be astonished today at the courage of these early settlers who so calmly faced loneliness, isolation, monotony, separation from medical aid, and an almost utter absence of what we call the "amenities of life". But they did not need our pity, for as a matter of fact the records left by letters, reminiscences, and the chronicles of these early communities show that the people were comfortable, contented, and happy. Nearly all were young, in good health, and were building homes and independence for themselves and their children. The pleasures of family life and work with crops, live stock, fruit, flowers, building homes and barns filled their time full of interesting tasks, enjoyment, and accomplishments. Then as the communities became more populous, the church and school added neighborhood interests. There were singing schools, church suppers, "harvest homes", dances, spelling bees, and similar social festivities that gave opportunities for enjoyment to young and old. Social distinctions were unknown and envy from this source reduced to a minimum. That there were hardships and suffering is certain but it must not be forgotten that there was pleasure and happiness as well.

We are beginning to realize that these plow pioneers, the successors of the hunter and fur trader, were the real makers of our immense farm empire. They were the agricultural Daniel Boones of the new country. There is no desire to belittle the work of the men who built the railroads, the bridges, the telegraph, and the towns, but only to place beside them and ask that credit as empire builders be given to the hundreds of thousands of men — bold, intelligent, and forward looking — who first tilled the new country, planted the first orchards in it, reared the first herds and flocks there, and labored to improve both plants and animals. The Indian fighter and other similar pictur-

esque figures have occupied the attraction of the popular historian and the men who built up the farms and developed a new variety of fruit or improved the yield of oats or corn have been neglected. The career of Henry Roddis has a particular significance in that he was a representative of this type of pioneer; the narrative of his life and work portrays also the life and work of thousands of others whose value to the country and to agricultural progress has been great but who have received little credit or recognition by the historian.

LOUIS H. RODDIS

WASHINGTON D. C.

SOME PUBLICATIONS

Trails, Rails and War The Life of General G. M. Dodge. By J. R. Perkins. Indianapolis: The Bobbs-Merrill Company. 1929. Pp. 371. Plates. The career of General Grenville M. Dodge was a genuine contribution to railway pioneering and building in the United States. His achievements stamp him as one of the great engineers of all time. As a soldier in the Civil War, as a railroad builder, and as an ardent and able friend of railroad promoters, he achieved notable success. The author has succeeded well in depicting the real Dodge. He has centered attention on the achievements for which Dodge will ever be remembered. The volume is published under the auspices of The Historical, Memorial and Art Department of Iowa where the Dodge manuscripts had been deposited. The preparation and publication of the biography was made possible through the coöperation of Edgar R. Harlan, Curator of the Historical Department, under whose direction the Dodge collection had been assembled. A list of sources, illustrations, and an index add to the value of the book which is a distinct addition to the history made by Iowans.

The Annual Report of the American Historical Association for the Year 1923 has recently been distributed.

Andrew McNair and the Liberty Bell, by Mary D. Alexander, is an interesting booklet recently published by the author.

Lincoln and Greeley, by M. L. Houser, has been printed in attractive booklet form and distributed by the author.

The Southern Frontier 1670-1732, by Verner B. Crane, has been printed by the University of Pennsylvania.

The Abraham Lincoln Association Bulletin for June contains an article, *Abraham Lincoln: A Japanese Interpretation*, by Sumiko Tokuda.

The Fur-Trade and Early Western Exploration, by Clarence A. Vandiveer, has been published by The Arthur H. Clark Company at Cleveland.

The Forty-third Annual Report of the Bureau of American Ethnology has been published by the United States Printing Office and distributed.

Early History of the Draper Family of Sussex County Delaware, by Edwin Jaquett Sellers, has been published by the author at Philadelphia.

Menomini Texts, by Leonard Bloomfield, forms Volume XII of the *Publications of the American Ethnological Society*, edited by Franz Boas.

Benefit of Clergy in England in the Later Middle Ages, by Leona C. Gabel, has been published in Volume XIV of the *Smith College Studies in History*.

Volume LXI of the *Massachusetts Historical Society Proceedings* has been distributed. It contains a wealth of historical information on the old Bay State.

A Study of Judicial Administration in the State of Maryland, by G. Kenneth Reiblich, has been published in the *Johns Hopkins University Studies in Historical and Political Science*.

Farm Relief is the topic discussed in Volume CXLII of *The Annals of The American Academy of Political and Social Science*, issued in March, 1929.

Volume XXII of the *Collections of the Connecticut Historical Society* has been published and distributed. This volume is devoted to the *Records of the Particular Court of Connecticut 1639-1663*.

A Sketch of the Life of Horatio Seymour 1810-1886, by Alexander J. Wall, Librarian of the New York Historical Society, has recently been published by Seymour's niece, Mrs. Charles S. Fairchild.

The North Carolina Historical Commission has issued a *North*

Carolina Manual for 1929. This volume, compiled and edited by A. R. Newsome, Secretary of the Commission, contains a wealth of information about the State.

The Catholic Historical Review for April contains the *Proceedings of the Ninth Annual Meeting American Catholic Historical Association*; an article on *George Washington and Religion*, by John C. Fitzpatrick; and *The Paschal Controversy under Pope Victor I*, by Charles L. Souvay.

The Negro as a Local Business Man, by J. H. Harmon, Jr.; *The Negro in Banking*, by Arnett G. Lindsay; *Insurance Business among Negroes*, by C. G. Woodson; and *A Tragedy of the Seventeenth and Eighteenth Centuries*, by William Renwick Riddell, are articles and papers in *The Journal of Negro History* for April.

A new historical quarterly *The Journal of Modern History* made its appearance in March. *The Present Status of Modern European History in the United States*, by Chester P. Higby; *England and Denmark in the Later Days of Queen Elizabeth*, by Edward P. Cheyney; and *Mr. Oversecretary Stephen*, by Paul Knaplund, are the leading articles in the first issue.

Volume II of the *Dictionary of American Biography* has been published. It contains biographies from *Barsotti, Charles* to *Brazer, John*. In this volume is an excellent biographical sketch of Horace Boies, Governor of Iowa from 1890 to 1894, written by Benj. F. Shambaugh, Superintendent of the State Historical Society of Iowa.

Labor Parties in Japan, by Kenneth Colegrove; *Social Order and Political Authority*, by John Dickinson; the *Second Session of the Seventieth Congress*, by Arthur W. Macmahon; *The National Government of China*, by Harold S. Quigley; and *The "Dictatorship" in Yugoslavia*, by Malbone W. Graham, Jr., are articles in *The American Political Science Review* for May.

The American Historical Review for April contains an account of *The Meeting of the American Historical Association at Indianapolis*; *The Present State of Studies on the English Exchequer in*

the Middle Ages, by Anthony B. Steel; and *British Public Opinion of the Peace with America in 1782*, by Eunice Wead. Under *Documents*, Annie A. Nunns contributes *Some Letters of Salmon P. Chase*.

An article entitled *Expansion of the Publications of the Department of State*, by Kenneth Colegrove, has been reprinted in booklet form from *The American Political Science Review*. Another article by Professor Colegrove, *Functional Studies in International Government with Special Reference to Japan*, has been reprinted as a booklet from the *Proceedings of the Third Conference of Teachers of International Law*.

Americana for the second quarter of 1929 contains an account of *The First White Settlers of Staten Island, 1609-1664*, by Charles W. Leng and William T. Davis; *The Old Brick Capitol, Washington, D. C.*, by Mary Frances Anderson; *A Forgotten President — The Enigmatical "Little Magician," Martin Van Buren*, by Cora Miley; and a *History of Prohibition in Maine*, by Colonel Fred M. Dow.

The Southwestern Political and Social Science Quarterly for March contains the following articles: *The Mandates System and Public Opinion*, by Quincy Wright; *International Finance and Balance of Power Diplomacy, 1880-1914*, by Jacob Viner; *The Success of Cooperation Among Livestock Producers in the United States of America*, by C. R. Fay; *Early Meat Packing Plants in Texas*, by T. J. Cauley; and *Racial Attitudes and Sentiments*, by Ellsworth Faris.

Chuckchee Tales, by Waldemar Bogoras, form the contents of *The Journal of American Folk-Lore*, for July-September, 1928. This number was issued in March, 1929. The number for April-June, 1928, contains *The Yuman Musical Style*, by George Herzog; *Miwok and Pomo Myths*, by J. de Angulo and L. S. Freeland; *Yurok Tales*, by Jean Sapir; *Folktales from Grand Lake Victoria, Quebec*, by D. S. Davidson; and *Hunting Superstitions in Southern Oregon*, by Kimball Young and T. D. Cutsforth.

WESTERN AMERICANA

The *Eleventh Biennial Report of the Nevada State Historical Society* has recently been printed and distributed.

The issues of *El Palacio* for March, April, and May contain a wealth of data about the art and archeology of the old southwest.

Clarence Walworth Alvord Historian, by Solon J. Buck, has been reprinted as a booklet from *The Mississippi Valley Historical Review*.

In the *Burton Historical Collection Leaflet* for May appears a sketch of James Henry, by Louise Rau. This forms another number of the *Detroit Biographies* series.

Algonquian Indian Tribes of Oklahoma and Iowa, by Truman Michelson, has been reprinted in booklet form from *Explorations and Field-work of the Smithsonian Institution in 1928*.

The *Ohio Archaeological and Historical Quarterly* for October, 1928, contains an article on *The Death and Funeral of President William Henry Harrison*, by Edward S. Lewis.

Mrs. Kate Milner Rabb has written a monograph entitled *Indiana Coverlets and Coverlet Weavers*. This study is Number 8 of Volume VIII of the *Indiana Historical Society Publications*.

Aboriginal Society in Southern California, by William Duncan Strong, has been published as Volume XXVI of the *University of California Publications in American Archaeology and Ethnology*.

The Journey of Lewis David Von Schweinitz to Goshen, Bartholomew County in 1831, translated by Adolph Gerber, has been printed as Volume VIII, Number 5, of the *Indiana Historical Society Publications*.

The *North Dakota Historical Quarterly* for January contains another installment of *Robert Dickson, British Fur Trader on the Upper Mississippi*, by Louis Arthur Tohill; and a document entitled *The Correspondence of Ira Butterfield*.

The Story of Aztalan, by George A. West; *The Stockaded Vil-*

lage, by Louise P. Kellogg; and *The Use of Earthenware Vessels by the Old North-west Indians*, by Charles E. Brown, are articles in *The Wisconsin Archeologist* for January, 1929.

Intimate Letters of Carl Schurz 1841-1869, translated and edited by Joseph Schafer, have been published as Volume XXX of the *Collections of the State Historical Society of Wisconsin*. The volume makes a valuable addition to the series.

The Apaches, by John P. Clum; *The Exploitation of Treason*, by Edward D. Tittmann; *Reaction to American Intrusion 1818-1819*, by Alfred B. Thomas; and *When Was Santa Fe Founded*, by Lansing B. Bloom, are some of the articles in *The New Mexico Historical Review* for April.

Volume XVII of the *Collections of the Kansas State Historical Society* for 1926-1928, containing addresses, memorials, and miscellaneous papers, has recently been distributed. The volume was edited by William Elsey Connelley, Secretary of the Kansas Historical Society.

Copper: Its Mining and Use by the Aborigines of the Lake Superior Region, by Geo. A. West, has been published as a *Bulletin of the Public Museum of the City of Milwaukee*. This monograph is a report of the findings of the McDonald-Massee Isle Royale Expedition of 1928.

The *Indiana History Bulletin* for March contains among others an article on *Historical Organizations and Work of Preserving History in Indiana*. *The Character and Achievements of George Rogers Clark*, by R. C. Ballard Thruston, is a leading article in the number for April.

George Husmann, by H. D. Hooker; *Palmyra and Its Historical Environment*, by Frank H. Sosey; *Military Prisons of St. Louis, 1861-1865*, by W. B. Hesseltine; and *Missouri Politics During the Civil War*, by Sceva Bright Laughlin, are the leading articles in *The Missouri Historical Review* for April, 1929.

Financing a Catholic College in Kansas in 1850, by Arthur T. Donohue; a continuation of *Illinois: The Cradle of Christianity*

and *Civilization in Mid-America*, by Joseph J. Thompson; *The American Federation of Catholic Societies*, by Anthony Matre; and *The First American Foreign Missioners*, by Marian Habig, form the leading contributions to the *Illinois Catholic Historical Review* for April.

The Colorado Magazine for May contains the following articles: *San Carlos: A Comanche Pueblo on the Arkansas River, 1787*, by Alfred B. Thomas; *The Founding of Steamboat Springs and of Hahns Peak*, by Charles H. Leckenby; *Spreading the News of the Early Discoveries of Gold in Colorado*, by James F. Willard; and *Conditions and Customs of Present-Day Utes in Colorado*, by James Russell.

A continuation of *Early Post Offices of Oklahoma*, by Grant Foreman; the *Dedication of Monument on Black Mesa*, by Charles N. Gould; *Captain Nathan Boone's Journal*, edited by W. Julian Fessler; and *Alexander McGillivray, Emperor of the Creeks*, by Carolyn Thomas Foreman, are some of the articles in the *Chronicles of Oklahoma* for March.

History of Pharmacy in the State of Washington, by C. W. Johnson; the *Great Northern Railway*, by John F. Stevens; *Ezra Meeker, the Pioneer*, by Edmond S. Meany; *Early Washington Post Offices*, by Lewis A. McArthur; and *San Juan Island in the Civil War*, by J. Neilson Barry, form part of the contents of *The Washington Historical Quarterly* for April.

Among the papers and articles in *The Oregon Historical Quarterly* for March appear the following: *Career of Frederic G. Young*, by Joseph Schafer; *Some Old Maps and Myths*, by Charles H. Carey; *Vancouver's View of Oregon Coast, 1792*, by T. C. Elliott; *Use of Soil Products by Indians*, by J. Neilson Barry; and *One Hundred Years Ago in 1829*, by J. Neilson Barry.

The *Indiana Magazine of History* for March contains the following papers and articles: *Indiana's Part in the Nomination of Lincoln in 1860*, by Charles Roll; *European Immigrants in Indiana Since 1850*, by Robert H. LaFollette; *The Family of Hananiah*

Lincoln in Revolutionary and Pioneer History, by Louis A. Warren; *Recognition of George Rogers Clark*, by Louise Phelps Kellogg; and a sketch of *Thomas Francis Moran*, by Stanley Coulter.

The History Quarterly of the Filson Club for April contains the following articles: *The Beginning of Old Vienna, Now Calhoun in McLean County*, by Alvin L. Prichard; *the Clay and Erwin Families*, by Thomas S. Erwin; *Some Descendants of Colonel Richard Lee*, by Isabel C. Courtenay; and a continuation of *Minute Book A, Jefferson County, Kentucky, 1781-1783*, edited by Alvin L. Prichard.

The Diary and Letters of William P. Rogers, 1846-1862, edited by Eleanor Damon Pace; the *Diary of a Campaign against the Comanches*, by J. W. Benedict; a continuation of the article on *Tadeo Ortiz de Ayala and the Colonization of Texas, 1822-1833*, edited by Edith Louise Kelly and Mattie Austin Hatcher; and a continuation of the *Diary of Adolphus Sterne*, edited by Harriet Smither, are the articles and papers in the *Southwestern Historical Quarterly* for April, 1920.

Old Days and Early Authors of Michigan State College, by Henry A. Haigh; *Michigan's Early Military Roads*, by George B. Catlin; and *Western Michigan History*, by Claude T. Hamilton, are three leading contributions in the Spring Number of the *Michigan History Magazine*. This number also contains another installment of *University of Michigan: Beginnings*, by William A. Spill; and a continuation of the *History of the Michigan State Federation of Women's Clubs*, by Irma T. Jones.

Some Phases of the Dred Scott Case, by Frank H. Hodder; *John Bach McMaster, Historian of the American People*, by William T. Hutchinson; *The Currency Question of the Pacific Coast During the Civil War*, by Joseph Ellison; and *Oliver Pollock, Financier of the Revolution in the West*, by James A. James, are the articles in *The Mississippi Valley Historical Review* for June. Under *Documents* appears *General James Wilkinson's Narrative of the Northwestern Campaign of 1794*, edited by M. M. Quaife.

Douglas and the Compromise of 1850, by George D. Harmon;

The Peoria Truce, by Paul M. Angle; *Nauvoo, Illinois, under Mormon and Icarian Occupation*, by Thomas Rees; *Historic Churches in Illinois*, by Margaret Katherine Schnapp; and a sketch of *Benjamin Dann Walsh*, by L. H. Pammel, are articles and papers in the *Journal of the Illinois State Historical Society* for January. This number of the *Journal* also contains several accounts of historical activities throughout the State.

The *Indiana History Bulletin* for March contains a valuable article on *Historical Organizations and Work of Preserving History in Indiana*. *The Character and Achievements of George Rogers Clark*, by R. C. Ballard Thruston, and *La Salle at South Bend Two Hundred and Fifty Years Ago* are two important contributions to the number for April. An account of the midyear pilgrimage of the Indiana Historical Society and the Society of Indiana Pioneers is included in the numbers for May and June. *Historical Markers and Public Memorials in Indiana*, compiled by Jessie P. Boswell, has been issued as an extra number of the *Indiana History Bulletin*.

The Development of New Countries—Some Comparisons, by Herbert Heaton; *Herschel V. Jones*, by Edward C. Gale; *Gideon Sprague Ives*, by Harold Harris; *The Minnesota Historical Society in 1928*, by Solon J. Buck; and *The 1929 Annual Meeting of the Minnesota Historical Society*, by Verne E. Chatelain, are the articles and papers in *Minnesota History* for March. The number for June contains a sketch of *Father Francis Pierz, Missionary*, by Sister Grace McDonald; *Some Colonization Projects of the Northern Pacific Railroad*, by Harold F. Peterson; *The Cambridge School Museum*, by Archie W. Troelstrup; and *A Danish Visitor of the Seventies*, translated and edited by Jacob Hodnefield.

IOWANA

Priscilla and I with the sub-title, *Some Little Journeys In and Out of Clinton, Iowa*, by Estelle LePrevost, has been printed in attractive booklet form by the author.

A collection of stories about Wapsipinicon folk by Jay G. Sigmund has been published by The Maizeland Press of Des Moines under the title, *Merged Blood and Other Stories*.

Dr. L. H. Pammel, of the Botany Department at Iowa State College, has recently published a sketch of E. W. D. Holway in his interesting series of booklets on *Prominent Men I Have Met*. This sketch is the fourth to appear in the series.

The *Annals of Iowa* for April contain an account of the *Pioneer Lawmakers Association Meeting*, by David C. Mott; a paper on *Ethics Involved in the Handling of Personal Papers*, by Edgar R. Harlan; and an analysis of the *Claim of Basil Giard*, also by Edgar R. Harlan.

The Catholic Sponsors of Iowa, by M. M. Hoffmann, forms Number One of the *Collections of the Iowa Catholic Historical Society*. The monograph deals with the careers of George W. Jones and Augustus Caesar Dodge, the first two United States Senators from Iowa.

Centenary Exhibit in Honor of William G. Hammond is the title of a University of Iowa Extension Bulletin which sets forth the accomplishments of a former chancellor of the College of Law of the State University of Iowa. The bulletin contains a *Foreword* by Percy Bordwell; *An Appreciation of William Gardiner Hammond*, by Emlin McClain; and a *Bibliography of the Writings of William Gardiner Hammond*, by Helen S. Moylan.

Albert Winfield Swalm of the Oskaloosa Herald, by David C. Mott, appears in the series, *Pioneers Who Brought Renown to Editorial Chairs of Iowa Newspapers*, in *The Iowa Publisher* for April. The May issue contains a sketch entitled *Robert Jones Burdette, Humorist of the Burlington Hawk-Eye*, by Fred J. Lazell. In the issue for June, Fred W. Cram contributes a sketch of *David Nelson Richardson of the Davenport Democrat*.

SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Aumann, F. R.,

Ohio Tackles Justice Court Problem (Journal of the American Judicature Society, June, 1929).

Arnold, L. K.,

Cornstalks and Cobs in Industry (Scientific Monthly, May, 1929).

- Ashbaugh, Ernest James,
High School in Every School District Means too Many Small Schools (School Life, March, 1929).
- Ashton, John W.,
The Popular Ballad as an Introduction to Literature (Tri-State English Notes, April, 1929).
- Austin, Anne,
The Black Pigeon. New York: Greenberg Publisher. 1929.
- Ayres, Philip Wheelock,
Forests of New England (Nature Magazine, May, 1929).
- Baird, A. Craig,
Public Discussion and Debate. New York: Ginn and Co. 1929.
- Baldwin, Francis Marsh,
Simplified Digital Sphygmograph (Science, May 3, 1929).
- Bashford, Herbert,
Stories of Western Pioneers. San Francisco: Harr Wagner. 1928.
- Beer, Thomas,
Faith (The Saturday Evening Post, April 6, 1929).
Mr. Hanna (The Saturday Evening Post, April 13, 27, 1929).
- Benjamin, G. G.,
Recent Documents and Literature on the Outbreak of the World War (The Historical Outlook, May, 1929).
- Bordwell, Percy,
The Statute Law of Wills (Iowa Law Review, April, June, 1929).
- Branch, E. Douglas,
The C. B. and St. Joe (The Palimpsest, June, 1929).
Council Bluffs in 1865 (The Palimpsest, June, 1929).
The Final Ties (The Palimpsest, June, 1929).
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- Brown, Bernice,
Fanny's First Fling (Collier's, April 20, 1929).
Illegal Entry (Collier's, March 2, 1929).
Open Season (Ladies Home Journal, March, 1929).
- Busse, Grace,
Molly Brown — Hoover's School Teacher (National Magazine, November, 1928).
- Christensen, T. P.,
The Danish Settlements in Kansas (Collections of the Kansas State Historical Society, 1926-1928).
- Cook, Herbert Clare,
The Administrative Functions of the Department of Public Instruction (The Iowa Journal of History and Politics, April, 1929).
- Craig, Hardin,
Great English Prose Writers. New York: F. S. Crofts. 1929.
- Cram, Ralph W.,
David Nelson Richardson of the Davenport Democrat (The Iowa Publisher, June, 1929).
- Crawford, Nelson Antrim,
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- Crowell, Grace Noll,
He Who Plants a Rose (poem) (Good Housekeeping, May, 1929).
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- Dell, Floyd (Joint author),
Little Accident (Commonweal, February 13, 1929).
- Duncan, Thomas W.,
Chromosomes (poem) (Poetry, April, 1929).
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- Engle, Paul,
Sonnets (The Caravan, May, 1929).

- Erbe, Carl H.,
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 The Macmillan Company. 1929.
- Farran, Don,
Gypsy Shawl (poem) (College Humor, May, 1929).
- Ficke, Arthur Davison,
April Fugitive (poem) (North American Review, April, 1929).
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Youth and Age (poem) (The New Republic, March 27, 1929).
- Flanagan, Hallie,
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 Coward-McCann. 1929.
- Flanagan, W. L.,
Singing Woman (poem) (Chicago Journal, 1929).
- Franklin, William Suddards,
Objectives of Undergraduate Courses in Physics for Engineering Students (Science, April 12, 1929).
- Garland, Hamlin,
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- Grahame, Pauline,
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- Hammer, B. W.,
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- Hegner, Robert William,
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- Heidel, William Arthur,
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- Hertzler, Arthur Emanuel,
Diseases of the Thyroid Gland. St. Louis: C. V. Mosby, Medical Book and Publishing Company. 1929.
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The Horn-Ashbaugh High School Speller. Philadelphia: J. B. Lippincott Company. 1928.
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The Intimate Journal of George Sand. New York: The John Day Company. 1929.
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- Ladd, Harry S.,
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- Lechlitner, Ruth,
Vineyard (poem) (The Nation, May 8, 1929).
- Leverett, Frank,
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This America of Ours (Saturday Review of Literature, March 30, 1929).
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S O S, The Call That Is Always Answered (The American Magazine, February, 1929).

Taking My Own Medicine; Autobiography (The American Magazine, January, 1929).

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Newman, Oliver Peck,

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Farm Products in Industry (Annals of the American Academy of Political and Social Science, March, 1929).
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SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

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Ottumwa Courier, March 2, 1929.

Sketch of the career of William B. Allison, in the *Dubuque Tele-
graph-Herald and Times-Journal*, March 3, 1929.

The beginnings of Fairfield, in the *Fairfield Ledger*, March 4, 1929.

Early stage coach days in Lucas County, by Ila Steele, in the
Chariton Leader, March 5, 1929.

The winter of 1881, in the *Estherville Vindicator and Republican*,
March 6, 1929.

Early history of Fayette County, in the *Fayette Leader*, March 7,
1929.

Tribulations of the early settlers, in the *Ocheyedan Arrow*, March
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- Early history of La Porte City, in the *La Porte City Review*, March 7, 14, 21, 28, 1929.
- The local campaign of 1885, by Harry C. Evans, in the *Bloomfield Democrat*, March 7, 1929.
- Pioneer days in Waterloo, in the *Waterloo Courier*, March 9, April 6, 1929.
- Cedar City — An Iowa deserted village, by Roger Leavitt, in the *Cedar Falls Record*, March 9, 1929.
- Sketch of the career of Judge J. W. Willett, in the *Cedar Rapids Gazette and Republican*, March 10, 1929, and the *Toledo Chronicle*, March 14, 1929.
- The founding of Iowa College at Davenport, in the *Davenport Democrat*, March 10, 1929.
- The founding of Grinnell, seventy-five years ago, in the *Grinnell Herald*, March 12, 1929.
- Stage coach days as told by Charles Peck, veteran driver, by Florence L. Clark, in the *Mason City Gazette*, March 12, 1929.
- Glimpses of early days in Grinnell public schools, in the *Grinnell Herald*, March 12, 1929.
- Early history of Greene, in the *Greene Recorder*, March 13, 1929.
- Old stage coach days, by Raymond Parrish, in the *Fairfield Ledger*, March 13, 1929.
- The local campaign in 1888, in the *Bloomfield Democrat*, March 14, 1929.
- Bringing troops to Keokuk on the D. V. R. R. in 1861, by F. A. Whitney, in the *Keokuk Citizen*, March 15, 1929.
- Memoirs of Capt. Sam Van Sant, in the *Burlington Post*, March 16, April 27, May 11, and May 25, 1929.
- The first court in Polk County, in the *Des Moines Tribune*, March 18, 1929.

- Old Indian town sites, by Arthur Goshorn, in the *Chariton Leader*, March 19, 1929.
- Feeding cattle in Lucas County in 1864, by Newton B. Ashby, reprinted from *Wallace's Farmer* in the *Chariton Leader*, March 19, 1929.
- Lucas County pioneer history, by C. F. Noble in the *Chariton Leader*, March 19, 1929.
- Early settlements in Kendrick Township, in the *Jefferson Bee*, March 20, 1929.
- Keokuk's first railroad, by F. A. Whitney, in the *Keokuk Citizen*, March 20, April 5, 1929.
- Early steamboating on the Maquoketa River, by J. Frank Barnes, in the *Sabula Gazette*, March 21, 1929.
- Early history of Fayette County, in the *Fayette Leader*, March 21, 28, 1929.
- Early schools in Storm Lake, in the *Storm Lake Pilot-Tribune*, March 21, 1929.
- Page County's early stock raising days, in the *Essex Independent*, March 22, 1929.
- Basil Giard's land claim in Iowa, by I. C. Kartack, in the *Des Moines Tribune-Capital*, March 25, 1929.
- Incidents of the Spanish-American War retold, in the *La Porte City Review*, March 28, April 18, May 2, 16, 30, 1929.
- Transportation progress in Iowa County, in the *Marengo Pioneer-Republican*, March 28, 1929.
- The pioneers and politics of Davis County, by Harry C. Evans, in the *Bloomfield Democrat*, March 28, 1929.
- Some early reminiscences, by Lou MacClure Clarke, in the *Hawarden Independent*, March 28, April 4, 11, 18, 1929.
- Early history of Lee County, by Cora Wahrer, in the *Ft. Madison Democrat*, March 30, 1929.

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- Lyman Dillon and the furrow from Dubuque to Iowa City, by F. L. Baldwin, in the *Dubuque Telegraph-Herald and Times-Journal*, March 31, 1929.
- Dallas County, its history and growth, in the *Dallas County News*, April 3, 1929.
- Reminiscences of early days in Greene, by J. M. Ramsay, in the *Greene Recorder*, April 3, 1929.
- Sabula as it appeared to visitors in 1843, in the *Sabula Gazette*, April 4, 1929.
- Iowa seventy-two years ago, in the *Monticello Express*, April 4, 1929.
- Sketch of the career of Captain J. W. Carr, reprinted from the *Montezuma Republican* in the *Brooklyn Chronicle*, April 4, 1929.
- The Union Light Artillery Company of Civil War days, in the *Washington Evening Journal*, April 6, 1929.
- Pioneer children in Iowa, in the *Osage Press*, April 10, 1929.
- Reminiscences of early days in Sabula, in the *Sabula Gazette*, April 11, 18, 1929.
- The beginnings of Villisca's graded school system, in the *Villisca Review*, April 12, 1929.
- Historical sketch of the Congregational church at Atlantic, in the *Atlantic News-Telegraph*, April 13, 1929.
- Early historic events in the settlement of Shelby County, Iowa, in the *Harlan Tribune*, April 17, 24, 1929.
- County seat contests in Clayton County, in the *Council Bluffs Nonpareil*, the *Fort Dodge Messenger*, and the *Ottumwa Courier*, April 17, 1929, and the *Perry Chief*, April 22, 1929.
- Knoxville twenty-five years ago, in the *Knoxville Journal*, April 17, 1929.

Cherokee County in 1878, in the *Marcus News*, April 18, 1929.

Tama County eighty-seven years ago, in the *Tama News*, April 18, 1929.

Bradford in the old days, in the *Nashua Reporter*, April 24, 1929.

Hardships of pioneer days, by Mrs. Catherine Gaarde Ries, in the *Estherville Vindicator and Republican*, April 24, 1929.

When Waterloo was young, by Roger Leavitt, in the *Waterloo Courier*, April 27, May 4, 11, 18, 25, 1929.

When Chief Waubonsie lived in Mills County, in the *Glenwood Opinion-Tribune*, May 6, 1929.

Running away to join the army in 1863, in the *Marshalltown Times-Republican*, May 9, 1929.

The first settlers in Madison County, by Arthur Goshorn, in the *Winterset News*, May 9, 1929.

Early days in Mills County as recalled by A. P. Myers, in the *Glenwood Opinion-Tribune*, May 13, 1929.

Reminiscences of early days, by Dr. Charles E. Allen, in the *Montezuma Republican*, May 16, 1929.

An Indian romance in Glenwood, by W. A. Tolles, in the *Glenwood Opinion-Tribune*, May 20, 1929.

A short history of the office of county superintendent, in the *Grinnell Herald*, May 21, 1929.

The Indian cave near New Albin, in the *Waukon Republican and Standard*, May 22, 1929.

Early State fairs in Iowa recalled, in the *Des Moines Plain Talk*, May 30, 1929.

Crossing southern Iowa by ox team in 1864, in the *Lamoni Chronicle*, May 30, 1929.

THE STATE HISTORICAL SOCIETY OF IOWA

A History of the American Legion in Iowa, by J. A. Swisher, Research Associate of the State Historical Society, is now in press. It will be ready for distribution in August.

Bruce E. Mahan, Associate Editor of the State Historical Society of Iowa, gave a commencement address on the "Spirit of Iowa" at Keota on the evening of May 23, at Lone Tree on May 24, and at Montezuma on May 29, 1929.

Dr. Benj. F. Shambaugh, Superintendent of the State Historical Society of Iowa, gave an address on "The Statesman of Democracy" at the joint meeting of the Iowa Political Science Association and the Iowa Association of Economists and Sociologists at Coe College in Cedar Rapids on the evening of May 10, 1929.

The State Historical Society of Iowa and the Iowa Federation of Women's Clubs through its Iowa History Committee coöperated in the observance of the fourth Iowa History Week from April 14-20. A special edition of *The Palimpsest* on *The Past at Play* furnished the basis for high school assembly programs and women's clubs programs throughout the State. Widespread interest was aroused in the old play-party games, the old square dances, and the old singing schools. "Iowa and the Nation" has been selected as the theme for Iowa History Week for next year.

The following persons have recently been elected to membership in the Society: Mrs. Emma Ball Anderson, Washington, Iowa; Rev. P. A. Bissen, Des Moines, Iowa; Mr. T. B. Holmes, Boone, Iowa; Miss Doris E. Mann, Lake View, Iowa; Miss Edith Augustine, Nevada, Iowa; Mr. Lewis H. Brown, Pelham, New York; Mr. Glenn D. Custer, Davenport, Iowa; Mr. O. J. Felton, Cedar Rapids, Iowa; Mr. Joseph S. Fleming, Des Moines, Iowa; Mr. Harry A. Houghton, Boone, Iowa; Mr. J. H. Krenmyre, Ainsworth, Iowa; Mr. V. R. Miller, Iowa City, Iowa; Mr. G. K. Thompson, Cedar Rapids, Iowa; and Mr. Fred J. Ehrhardt, Sac City, Iowa. Mr. Thomas H. Macbride of Seattle, Washington, has been enrolled as a life member.

HISTORICAL ACTIVITIES

At the April meeting of the Howard County Historical Society at Cresco, Mrs. J. H. Howe read a comprehensive sketch of the life and activities of George Rogers Clark. At the May meeting, Ruth Patterson read a paper on "Iowa State Parks".

On May 26th the Union County Historical Society held a meeting at Dodge Center church. Paper on subjects of historical interest to citizens of Union County were read by Thomas G. Hamilton, Mrs. George Swan, Grace Harsh, and W. J. Donlin.

The Appanoose County Historical Society sponsored a pageant at Centerville on July 4th. New officers of the society include Mrs. C. S. Hickman, president; H. C. Haynes, vice president; and Mrs. F. A. Miller, secretary-treasurer. Mrs. C. S. Hickman, J. J. Frankel, and Dr. Mott R. Sawyers were elected members of the governing board.

The Missouri Historical Society held its annual meeting commemorating the Louisiana Purchase on April 30, 1929. Following a dinner at the Chase Hotel, a film entitled the "Spirit of St. Louis" was shown. This film depicts the history of St. Louis from its founding to the return of Colonel Charles A. Lindbergh.

The origin and development of Fletcher College was pictured in a pageant given in the college gymnasium on March 16, 1929. Mrs. Velma Cross Klopping, a graduate of Fletcher College, was the author. The scenes in the pageant presented glimpses of the history of the institution from the time the campus was the home of the Indian, through pioneer times, to the camp meeting at which the founders of the college planned ways and means for its support.

Through the efforts of the Delhi Woman's Club the memory of the pioneer editor, John Lucky McCreery, has been preserved by placing a boulder with a bronze tablet on the site of his home at Delhi, Iowa. McCreery is remembered especially for his poem,

There is No Death, which he wrote and published while a resident of Delhi. Dedication of the marker took place with appropriate ceremony on May 30, 1929. The principal address on this occasion was given by Joseph B. Swinburne, associate editor of the *Evening Democrat*, Fort Madison, Iowa. Mr. Swinburne, who learned the printer's trade in the office of the *Delaware County Journal* then published by McCreery, gave a history of the poem and a sketch of the life of the author.

The Texas State Historical Association held its thirty-second annual meeting at Austin on April 22-23, 1929. The program included papers on "The Powerful Aguayos", by Frederick Chabot, "Glimpses of Plantation Life in Texas", by Abigail Curlee, "The Significance of the Disappearance of the Buffalo from the Southwest", by C. C. Rister; "Texas Chronicles and Troubadours", by Alex. Dienst; "Retracing the Steps of Pathfinders", by David Donoghue; and "Irish and Mexican Colonies and the Texas Revolution", by Harbert Davenport.

The Fayette County Historical Society was organized at West Union on May 24, 1929. The new society plans to collect and preserve objects of historical interest to Fayette County. The following officers were elected: Mrs. William Larrabee, Sr., Clermont, president; E. R. Ballard, West Union, vice president; L. G. Meyer, West Union, secretary and custodian; John Jamison, Oelwein, treasurer. A committee consisting of Dr. D. M. Parker of Fayette, Henry Lauer of Eldorado, J. D. Shaffer of Elgin, Frank Camp of West Union, and Walter H. Beall of West Union was selected to formulate a plan of permanent organization. The board of supervisors of Fayette County has set aside a large room in the new courthouse for the preservation and exhibition of historical records and relics.

The eighth annual summer tour and convention of the Minnesota Historical Society was held on June 14 and 15, 1929. Leaving the Twin Cities by automobile, members of the Society made stops at Henderson, Glencoe, Hutchinson, Forest City, and Litchfield. Professor George M. Stephenson of the University of Minnesota

gave the principal address at Hutchinson on the evening of June 14, speaking on "When America Was the Land of Canaan". Other speakers were Charles J. Ritchey of Macalester College, Wm. V. Working of Blakeley, Mrs. Peter Rodange of Litchfield, H. I. Peterson of Litchfield, Arthur J. Larsen and Verne E. Chatelain of the Minnesota Historical Society, and H. L. Merrill of Hutchinson. William J. Petersen of Iowa City read a paper at the Hutchinson meeting on "Early Steamboating on the Minnesota River".

A conference on the history of the trans-Mississippi West was held under the auspices of the Department of History of the University of Colorado at Boulder from June 18 to 21, 1929. Benj F. Shambaugh, Superintendent of the State Historical Society of Iowa, and E. Douglas Branch, Research Associate, represented the Iowa society at the meeting. The programs were built around such topics as "Western Missions", "Western Transportation", and the "West in American Literature". Several round table sessions on phases of western history were included. John Carl Parish, formerly Associate Editor of the State Historical Society of Iowa, now Professor of History at the University of California at Los Angeles, contributed a paper on the topic "By Sea to California". Louis Pelzer, Professor of History at the State University of Iowa, read a paper on "Trails of the Trans-Mississippi Cattle Frontier".

The twenty-second annual meeting of the Mississippi Valley Historical Association was held at Vincennes, Indiana, April 25-27, 1929. The State Historical Society of Iowa was represented at the meeting by Benj. F. Shambaugh, Bruce E. Mahan, and E. Douglas Branch. At the opening session of the meeting William J. Petersen, graduate student at the State University of Iowa, read a paper on "Captains and Cargoes of Early Mississippi River Steamboats". At the same session E. Douglas Branch of the State Historical Society read a paper on "Frederick West Lander, Scientific Explorer". Professor George G. Andrews of the University of Iowa read a paper on the "Use of Historical Sources" before the History Teachers' Section; and at the same meeting, Bruce E. Mahan read a paper on "Teaching State and Local History in the Schools".

Miss Bessie L. Pierce of the University of Iowa was secretary of the Teachers' Section. Professor Fred A. Shannon, a former student at the State University of Iowa, was chairman of the program committee.

The thirtieth annual meeting of the Illinois State Historical Society was held at the Centennial Memorial Building at Springfield on May 9-10, 1929. The following papers were read on this occasion: "Indian Diplomacy During the Revolution in the West", by Louise Phelps Kellogg; "The Lincoln of the Biographers", by William E. Barton; "Sanitation in an Industrial Community", by Mary E. McDowell; "Historical Values in the Mid-Century Literature of the Middle West", by Arthur H. Hirsch; "Judge William Henry Underwood, Senator from St. Clair County, 1856-1864 and 1870", by Mrs. Clara Halbert Needles; "Joseph Joder, Schoolmaster-Farmer and Poet, 1797-1887", by Olynthus B. Clark; and "The Stormy Years of the Swedish Colony in Chicago before the Great Fire", by George M. Stephenson. The annual address was given by President Albert Britt of Knox College, who spoke on "Truth Telling, a Difficult and Dangerous Art".

This spring preliminary steps were taken to effect the organization of the Iowa historians, an organization to be composed of all teachers of history in the universities and colleges of the State and others interested in history. Professor L. B. Schmidt of Ames started the movement by correspondence with the history teachers of the State. On Saturday, May 11, at Cedar Rapids after a joint luncheon with the Iowa Political Science Association and the Iowa Association of Economists and Sociologists, the historians met informally. There were about thirty-five present with W. T. Root, Head of the History Department of the University of Iowa, presiding. It was decided to appoint a committee of five to draft the plan of organization and to prepare for the meeting next year, in the hope that a formal organization will be established. The committee is composed of Professors O. B. Clark of Drake, E. M. Eriksson of Coe, Francis I. Moats of Simpson, C. E. Payne of Grinnell, and J. W. Hoffman of Morningside. It is hoped that in the future the Iowa Society of Historians will meet jointly in the

annual meeting with the other groups interested in the social studies.

The first annual meeting of the Iowa Political Science Association and the twelfth annual session of the Iowa Association of Economists and Sociologists were held at Coe College in Cedar Rapids on May 10 and 11, 1929. At the same time and place the Iowa group of the American Association of University Professors held its annual conference and historians of Iowa colleges and universities came together to effect an organization. A program of round table discussions and formal addresses occupied the attention of those in attendance. Several joint sessions of the groups represented were held. G. H. Von Tungeln of Iowa State College presided at a joint luncheon on May 10th. An informal discussion of methods of teaching the social studies was contributed by Laetitia Conrad of Grinnell College, S. L. Chandler of Cornell College, C. N. Burrows of Simpson College, and L. E. Garwood of Coe College. At a joint dinner that evening, President H. M. Gage of Coe College extended a welcome to the visitors and responses were made by M. R. Thompson of Iowa State Teachers College on behalf of the economists and sociologists, by Benj. F. Shambaugh of the State University of Iowa on behalf of the Iowa Political Science Association, by E. S. Allen of Iowa State College on behalf of the Iowa Conference of the American Association of University Professors, and by W. T. Root of the State University of Iowa on behalf of the historians. At the evening session Benj. F. Shambaugh delivered an address on "Abraham Lincoln—the Statesman of Democracy", and J. L. Palmer of the School of Commerce and Administration of the University of Chicago spoke on "Economic and Social Aspects of Chain Stores". On Saturday, Irving B. Richman of Muscatine addressed a joint meeting of the economists, sociologists, and historians on "The New History".

The Iowa Catholic Historical Society was formally launched at its initial meeting held at St. Joseph's Hall, Columbia College, Dubuque on April 9, 1929. The purpose of the society is to collect and preserve books, pamphlets, maps, portraits, paintings, relics, manuscripts, letters, documents, and any other material which may

establish or illustrate the Catholic history of Iowa, and of publishing such historical material as the society may authorize. The officers of the society are: honorary president, James J. Keane, Archbishop of Dubuque; honorary vice presidents, H. P. Rohlman, Bishop of Davenport, Edmond Heelan, Bishop of Sioux City, and Thomas W. Drumm, Bishop of Des Moines; president, Martin J. Wade of Iowa City; vice president, Major General Mathew Tinley of Council Bluffs; curator, the Reverend Lester H. Kuenzel of Dubuque; and secretary-treasurer, the Reverend F. A. Mullin of Dubuque. Directors of the new society include: Monsignor T. J. McCarty of Sioux City, M. F. Healy of Fort Dodge, Bruce E. Mahan of Iowa City, the Very Reverend J. J. Boylan of Des Moines, Fred Sharon of Davenport, Mrs. J. J. Fleming of Burlington, John B. Keefe of Sioux City, Wm. J. McCullough of Davenport, John E. McDermott of Des Moines, the Reverend C. F. Griffith of Davenport, C. N. Nennig of Dubuque, Mrs. C. J. Cash of Anamosa, the Reverend Maurice Powers of Corning, Joseph McCormick of Cedar Rapids, the Reverend M. M. Hoffmann of Dubuque, A. J. Mullarky of Keokuk, T. P. Breheny of Atlantic, the Reverend James Greteman of Struble, and M. H. Kelly of Waterloo.

NOTES AND COMMENT

The Georgia Historical Society has offered for the year 1929 a prize of one hundred dollars to the person submitting the best article on some subject in Georgia history.

Dr. Harlow Lindley, who has been director of the Hayes Memorial Library and Museum, has become curator of the department of history of the Ohio State Archaeological and Historical Society at Columbus, Ohio.

The Des Moines public schools plan to undertake a comprehensive project in local history during the coming school year. The various studies will be published for subsequent use in history courses in the Des Moines schools.

That buffalo roamed Jefferson County as late as 1842, and that a buffalo wallow existed near the site of the city of Fairfield as late as 1835 was a statement in an address made by E. R. Smith before the Jefferson County Old Settlers Association. Mr. Smith has made a careful study of wild game in early Iowa.

The Iowa State Fair and Exposition this summer will celebrate its diamond jubilee, commemorating the first State Fair which was held at Fairfield, Iowa, in 1854. Many historical features will be included in the program of events from August 21 to 30, the dates selected for the seventy-fifth anniversary fair and exposition.

A comprehensive history of New Jersey will soon be undertaken by the Princeton University History Department. A fund of \$100,000 to defray the expense of research and publication has been donated to the university by Lloyd W. Smith. The history will be composed of some twenty-five monographs each dealing with some important phase of the subject.

Dr. Fred A. Shannon, formerly a graduate student in the State University of Iowa, was awarded the Pulitzer prize of two thousand

dollars for the best book of the year dealing with the history of the United States. His work, *The Organization and Administration of the Union Army, 1861-65*, was also awarded the Justin Winsor prize of the American Historical Association.

Pioneer days in the west, the abolition movement, the Civil War, the World's Fair at Chicago, and the temperance question are a few of the phases of history dealt with from a personal view point in "Grandmother Brown's Hundred Years, 1827 to 1927", which has been awarded *The Atlantic Monthly* prize of five thousand dollars. The author of the book, Mrs. Herbert D. Brown, is the daughter-in-law of Mrs. Maria D. Brown, the narrator of the story. Mrs. Herbert D. Brown is a former resident of Fort Madison, Iowa.

The eighteenth biennial convention of the Iowa Federation of Women's Clubs was held at Sioux City from May 21 to 24, 1929. The following officers were elected at this meeting: Mrs. Galen Tilden of Ames, president; Mrs. William Larrabee, Jr., of Clermont, first vice president; Mrs. Eugene Henely of Grinnell, second vice president; Mrs. Eugene Cutler of Des Moines, corresponding secretary; Mrs. R. H. Volland of Iowa City, treasurer; Mrs. H. C. Houghton, Jr., of Red Oak, recording secretary; and Mrs. E. H. Hall of Davenport, auditor.

On May 26, 1929, the Ladies of the Grand Army of the Republic dedicated a park on the capitol grounds at Des Moines in memory of the G. A. R. The committee in charge of this project consisted of Lillian Clark Cary, Jennie Beymer, and Ella Edelman. Governor John Hammill presided at the dedicatory ceremonies. Speakers included Colonel C. B. Robbins, John Weir, and Judge J. W. Willett. Many patriotic organizations were represented by delegations. Twelve trees were planted in honor of the memory of Civil War veterans.

The Clarence Walworth Alvord Memorial Commission of the Mississippi Valley Historical Association was organized at the recent meeting of the Association at Vincennes. The Commission plans to raise a revolving fund for the publication of source materials for the history of the West. The Commission is composed

of Solon J. Buck, Minnesota Historical Society, chairman; Arthur C. Cole, Ohio State University; Edward E. Dale, University of Oklahoma; Archibald Henderson, University of North Carolina; Archer B. Hulbert, Colorado College; Louise P. Kellogg, State Historical Society of Wisconsin; Theodore C. Pease, University of Illinois; Dr. Otto L. Schmidt, Illinois State Historical Society; and Benj. F. Shambaugh, State Historical Society of Iowa.

CAPTAIN WILLIAM T. RIGBY

Captain William T. Rigby, resident commissioner of the Vicksburg National Military Park and for years a member of the State Historical Society, died at Vicksburg on May 11, 1929, at the age of eighty-eight years. Captain Rigby was born in Red Oak Grove, Cedar County, Iowa, on November 3, 1841. In 1862 he assisted in enrolling Company B, Twenty-fourth Iowa Infantry and rose through the commissioned grades to the rank of captain in 1863. With his company he engaged in the operations against Vicksburg and Jackson, the Teehe and Red River campaigns, and at the battles of Winchester and Cedar Creek in the Shenandoah Valley. At the battle of Winchester he rendered exceptionally meritorious service. Following the Civil War, Captain Rigby entered Cornell College from which he was graduated in 1869. In June, 1870, he married Eva Cattron. He engaged in farming until 1895 when he became secretary of the newly formed Vicksburg Military Park Association. It took three years of work before Congress passed an act to establish the park. In 1899 Captain Rigby became one of the commissioners and took up his residence at Vicksburg. Through his untiring efforts the Vicksburg National Military Park has become one of the finest in the nation. In November, 1928, a portrait bust of Captain Rigby, contributed by his friends in recognition of his services as commissioner, was unveiled in the park. He was buried alongside his wife on a slightly eminence in the park to which he had devoted over thirty years of service.

CONTRIBUTORS

HERBERT CLARE COOK, Assistant Professor of Government at Iowa State College, Ames. (See THE IOWA JOURNAL OF HISTORY AND POLITICS, April, 1929, p. 336.)

FRED W. LORCH, Assistant Professor of English at Iowa State College, Ames. Born in Germany, October 29, 1893. Received the B. A. degree from Knox College in 1918, and the M. A. degree from the University of Iowa in 1928. On the staff of the Department of English at Iowa State College since 1921.

LOUIS H. RODDIS, Lieutenant Commander, Medical Corps, United States Navy. Born near Cherokee, Iowa, February 16, 1887. Received the M. D. from the University of Minnesota, 1913. Appointed to the Navy from Minnesota the same year. Fellow of the American College of Physicians. Member of Association of Military Surgeons, the Minnesota Historical Society, and the Norwegian American Historical Society. Author of monographs relating to Minnesota history and medical history.

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LECTURE TRIPS AND VISITS OF MARK TWAIN IN IOWA

[In the July issue of *THE IOWA JOURNAL OF HISTORY AND POLITICS* Mr. Lorch told of the sojourn of Samuel L. Clemens at Muscatine and Keokuk. This installment deals with the visits of Mark Twain to Iowa as a lecturer and entertainer.]

THE LECTURE AT KEOKUK IN 1867

It was on April 5, 1867, that Samuel L. Clemens returned to Iowa after an absence of ten turbulent years.¹ He had left Keokuk in the fall of 1856 with dreams of South American adventure and wealth. Now he was returning, not with wealth, it is true, but with the memory of glorious days in the Sandwich Islands. Though still without a profession — Twain's most perplexing problem during these days — he was by no means obscure. He had not only made important friendships on the Pacific Coast, where he had attained popularity by way of journalism and the lecture platform, but he had in his pocket letters of endorsement to prominent men in the East.² Nor was his fame confined to the West. Already in January of 1867, only five months after his return to San Francisco from the Islands, we find at least one Iowa newspaper quoting "Mark Twain".³ And so if Sam Clemens had something of the feeling of a conquering hero at St. Louis, where he was visiting with his family, and if he experienced a thrill by offering himself to the admiration of his former fellow townsmen both at Hannibal and Keokuk — people, by the way, who had always been more or less dubious about Sam's

¹ *Keokuk Gate City* (Daily), April 6, 1867.

² Paine's *Mark Twain's Letters*, Vol. I, p. 122.

³ *The State Press* (Iowa City), January 9, 1867.

ability and future success — such feeling might certainly be excused.

Whether Mark Twain's trip to Keokuk was prompted by a desire to renew old acquaintances and to revisit old scenes or perhaps to replenish a rapidly diminishing purse in the easiest and most profitable way he knew is problematical. None of his immediate family then resided in Keokuk, but there were several relatives and friends. The Stottses, Orion's wife's people, were there, and the Pattersons, and the Starkweathers, and his old friend Ed. F. Brownell.⁴ Perhaps, more than any of these, he had hoped to see Annie Taylor again, but in this he must have been disappointed, for she was now, as we have seen, a teacher at Lindenwood College, St. Charles, Missouri.

It was on Thursday, April 4th, that the people of Keokuk were informed by posters stuck about on the street corners that "Sam. Clemens, the greatest humorist in America", was coming to lecture to them that same week.⁵ The next day Clemens arrived, and with characteristic psychological foresight registered at the Tepfer House, just completed and the most fashionable hotel in the city.⁶ That was on Friday, and the lecture was not until Monday evening.⁷ How Clemens spent the interval we are not told, but it is easy to surmise that he made the rounds of relatives and friends, swapping stories and telling of his western adventures. Very likely he took a peek at the rooms on the third floor on Main Street where Orion's print shop had been and where he had both worked and slept in the old days. Professor Isbell, whose music rooms had occupied the second story, was gone now, and Brownell's Book Store had moved

⁴ *Keokuk City Directory*, 1867.

⁵ *Keokuk Daily Constitution*, April 4, 1867.

⁶ *Keokuk Gate City* (Daily), April 6, 1867.

⁷ *Keokuk Gate City* (Daily), April 6, 1867.

to a new location. It is improbable, however, that Clemens wasted much sentiment in revisiting old Keokuk scenes. The future and not the past was the foremost thing in his thinking those days. For even if he was not yet certain at this time that the *Alta-Californian* would send him on the Quaker City Holy Land Excursion, he was looking forward to the trip with impatient expectation.⁸ Or even if that should fail, there were other projects.

The newspapers of Keokuk extended him a friendly welcome. "We congratulate them, (the people of Keokuk) as well as ourselves, on the opportunity we have of hearing one of his inimitably humorous and witty lectures. . . . His are not the wornout jests, and hackneyed phrases, repeated to satiety, but he is fresh and vigorous, full of life and spirit. . . . Years ago, before the war, Mark Twain that is now, was A. [sic] L. Clemens, one of the cleverest and most popular 'printer boys' in Keokuk. He returns to us now, a famous man, and proverbs or scripture to the contrary, we trust that our citizens will honor him with a rousing house on occasion of his lecture before the Library Association, at the Chatham Square Church, Monday night."⁹

Though there was probably not a rousing house, a "respectable audience" was in attendance.¹⁰ Robert F. Bower, President of the Keokuk Library Association, introduced Clemens. Speaking of the occasion years later, he remembers that Twain said in his preliminary remarks, "If I were as grand a specimen of manhood as the gentleman who has just introduced me, you might expect a magnificent lecture."¹¹

⁸ Paine's *Mark Twain: A Biography*, Vol. I, p. 310.

⁹ *Keokuk Gate City* (Daily), April 6, 1867.

¹⁰ *Keokuk Gate City* (Daily), April 9, 1867.

¹¹ *Keokuk Daily Constitution*, May 18, 1882.

Undoubtedly Ed. Brownell was in the audience that night, for during the lecture Twain took occasion to refer to his old friend in such a way as to delight the Keokuk audience. Twain had been speaking of the unreliability of the inhabitants of the Sandwich Islands. Spying Brownell he added, "The king is, I believe, one of the greatest liars on the face of the earth, except one; and I am very sorry to locate that one right here in Keokuk, in the person of Ed. Brownell."¹²

On the whole, the lecture was a success. The Keokuk audience was enthusiastic. "It has been many a day", reports the daily *Constitution*, "since our ribs were tickled so much as at listening to Sam Clemens's lecture last evening upon 'The Sandwich Islands'. . . . Those of our citizens who did not hear this lecture missed one of the richest treats of their lives."¹³ It was noted, however, that despite his original, quaint, and irresistible humor, his style of speaking and manner were too quiet and undemonstrative. "A little more voice and a little more nerve in his general delivery, would not be objectionable by way of variety."¹⁴

Financially, also, the lecture was fairly successful. At half a dollar a seat the Library Association netted \$34.75,¹⁵ which was considerably above what an Emerson lecture had brought in a few months earlier.

The following day Clemens left for Quincy, Illinois, where he was to give his last lecture before returning to St. Louis and the East.¹⁶ Fifteen years were to pass before the people of Keokuk were to see Mark Twain again.

¹² Paine's *Mark Twain: A Biography*, Vol. I, p. 107.

¹³ *Keokuk Daily Constitution*, April 9, 1867.

¹⁴ *Keokuk Gate City* (Daily), April 9, 1867.

¹⁵ *Keokuk Daily Constitution*, April 7, 1867; *Keokuk Gate City* (Daily), May 14, 1867.

¹⁶ By this time Clemens had probably heard from the *Alta-Californian* concerning the Quaker City Excursion to the Holy Land.—Paine's *Mark Twain: A Biography*, Vol. I, p. 310.

THE LECTURE AT DAVENPORT IN 1869

If Mark Twain felt that success was near in 1867 as he revisited the old Mississippi River towns he had once called home, he was becoming definitely certain of it in 1869. The Quaker City excursion articles had given him not only a national reputation as a journalist but had offered contacts with men of prominence and influence. His difficulties with regard to the publication of *Innocents Abroad* had been amicably and profitably settled, and the book itself was to appear in July of that year. In the meantime he was in demand as a lecturer and was playing before tremendously enthusiastic houses in the East. All in all, things were going swimmingly. There was, however, one difficulty—a portion of sour in his pound of sweet considerably larger than the proverbial ounce. He was contemplating marriage with a young lady whose family had not yet been persuaded as to his desirability. A provisional engagement was countenanced until Mr. Langdon, the girl's father, should have time to make inquiries concerning Twain's character. It was during this interval of suspense that Twain lectured at Davenport on January 14, 1869, and at Iowa City on January 15th.¹⁷

Twain's arrival in Davenport was not further noted than that his name appeared in the published lists of arrivals at the Burtis House.¹⁸ The ticket sale which had started the morning before, had progressed so rapidly that the lecture promised to be better attended than any previously given. The price of general admission was fifty cents. Reserved

¹⁷ Paine says, "He went as far west as Illinois, had crowded houses in Chicago, visited friends and kindred in Hannibal, St. Louis, and Keokuk, . . . and lecturing in old familiar haunts." But it is highly improbable that Twain visited Keokuk upon this occasion. In view of his recent phenomenal successes it is unbelievable that his presence in the city would have escaped notice; yet the newspapers are silent.—Paine's *Mark Twain: A Biography*, Vol. I, p. 376.

¹⁸ *The Davenport Democrat* (Daily), January 15, 1869.

seats were selling at seventy-five cents.¹⁹ By afternoon of the day of the lecture, Griggs, Watson, and Day reported that seat sales already amounted to seventy dollars. "Twain", announces one newspaper enthusiastically, "is a trump card."²⁰

It does not appear, however, that the people of Davenport were aware of Clemens's former connection with the State of Iowa; the promise of success indicated by the advance ticket sales is attributable rather to eulogistic press notices. In the East, it was observed, his appearance had been greeted with rapturous delight. Though witty he was without the vulgarity of Nasby.²¹

A glowing account of Twain's brilliant success in Chicago was copied at length by the *Davenport Democrat*. "As a humorous lecturer he is a success. There is nothing in his lecture, for he very properly sacrifices everything to make his audience roar, and they do it. His manner is peculiar; he hangs around loose, leaning on the desk, or flirting around the corners of it; then marching and countermarching in the rear of it, marking off the ground by the yard. His voice is a long monotonous drawl, well adapted to his style of speaking. The fun invariably comes in at the end of the sentence, after a pause."²²

Prepared for an evening of enjoyment, the Davenport audience which greeted Mark Twain was the "most select and largest that had yet greeted any lecturer on the course." Clemens succeeded at once in putting the audience in good humor and ready for anything he might say. "He was not exactly embarrassed, he said, to be introduced in so public a manner,— he rather liked it." And then for

¹⁹ *The Davenport Democrat* (Daily), January 11, 1869.

²⁰ *The Davenport Democrat* (Daily), January 14, 1869.

²¹ *The Davenport Democrat* (Daily), January 11, 1869.

²² *The Davenport Democrat* (Daily), January 12, 1869.

nearly two hours he talked, interesting his audience with descriptions, anecdotes, comparisons, and incidents which were frequently ridiculous and absurd.²³ Though prepared for something original in Mark Twain's manner and delivery, the reporter for the *Davenport Democrat* seemed greatly impressed with the man himself. "His body is lithe and muscular, set upon long legs with feet of no size within the ken of a shoemaker, and is surmounted by a round head. Fun lurks in the corners of his humorous mouth. His eyes are deep set, and twinkle like stars in a dark night. The brow overhangs the eyes and the head is eminently a good one, a laughing face beaming with humor and genuine good nature."²⁴

The lecture was unquestionably a success, a thing to be enjoyed if not remembered. And then, too, it paid handsomely.²⁵

THE LECTURE AT IOWA CITY

At Iowa City, "The American Vandal Abroad" was by no means so enthusiastically received. Whether the fault lay in the increasing tension with which Twain contemplated the progress of his love affair, or whether the apparent testiness of the editor of the *Iowa City Republican* was chiefly to blame is a matter of conjecture. In view of what happened, it might be of interest to give in full the notice of the lecture that appeared in the weekly edition of the *Republican*: "The first lecture of the season will be delivered on Friday evening of this week, at the Metropolitan Hall by the celebrated humorist Mark Twain. Subject: The American Vandal Abroad. We have never heard this lecturer, but judging from his reputation we shall antici-

²³ *The Davenport Democrat* (Daily), January 15, 1869.

²⁴ *The Davenport Democrat* (Daily), January 15, 1869.

²⁵ *The Davenport Democrat* (Daily), January 15, 1869.

pate a rich and rare discourse. The Association has selected him because he has succeeded in making such a reputation, judging rightfully, that he could not have made it without merit. We hope to see an old fashioned crowd in attendance on Friday evening. The net proceeds of the lecture will be devoted entirely to good works in our city. The time, the occasion, the man and the cause demand an overflowing house."²⁶

The house was not overflowing but a splendid audience confronted Twain at Metropolitan Hall. So far the editor's plea was answered, and as a consequence some "good works" in the city assured. But the lecture itself disappointed the editor greatly. Had he, however, read the reports of the lecture in the Chicago and Davenport papers with ordinary care he might have known what to expect, for the lack of substance was plainly stated.

"A splendid audience", he writes, "turned out to hear Mark Twain discourse about The American Vandal Abroad, and we fear were generally disappointed. As a lecture it was a humbug. As an occasion for laughter on very small capital of wit or ideas it was a success. There were one or two passages of some merit. His apostrophe to the Sphinx was decidedly good, as was also his description of the ruins of the Parthenon, and of Athens by moonlight. Some touches of Venice did very well, but it was impossible to know when he was talking in earnest and when in burlesque. It was amusing to see such a crowd of people laughing together even though we knew that half of them were ashamed that they were laughing at such very small witticisms. We were very much disappointed that there was so little substance to his lecture. We would not give two cents to hear him again."²⁷

²⁶ *Iowa City Republican*, January 13, 1869.

²⁷ *Iowa City Republican*, January 20, 1869.

But the editor's disappointment in Twain's lecture was as nothing compared with the indignation and disgust he experienced the following day when he learned from an irate landlord of Twain's conduct at the Clinton House, where Twain had spent the night. As ludicrous as the affair appears, even when we allow for the prejudice of the editor, it is well known that Twain was frequently subject to such outbursts of temper as that described below.²⁸

"But lest he might not have succeeded as a Vandal Abroad", complains the editor, "he illustrated the character at the Clinton House, where he stopped. The morning after the lecture nothing was seen of him up to nine o'clock, and the landlord in his kindness, went to his room to see if he might not be in want of something, but received a storm of curses and abuse for disturbing him. Of course the landlord retreated and left him. After a while a terrible racket was heard and unearthly screams, which frightened the women of the house. The landlord rushed to the room and there found a splendid specimen of the vandal and his works. There, before him, was the veritable animal, with his skin on at least, but not much else, and in a towering rage. He had kicked the fastenings from the door, not deigning to open it in the usual way—that would have been too much like other folks. He poured upon the landlord another torrent of curses, impudence and abuse. He demanded to know where the bell pull was. The landlord told him they were not yet up, as they had not yet got the house fully completed. His kicking the door open and his lung performance were his substitute for a bell. At two o'clock P. M. he had not dressed, and whether he did before he left on the five o'clock train we did not learn. The Y. M. C. A. were wretchedly imposed upon by Mark Twain,

²⁸ An amusing incident which absolutely betrays Twain's weakness in this respect is given in Paine's *Mark Twain: A Biography*, Vol. II, p. 789.

and so of course were the audience. He is the only one engaged for the course whose personal character was unknown. In great contrast will he be followed by the glorious Howard, the Christian Hero and soldier, who gave his own right arm to his country, and was ever true to her cause and the cause of the Great Master above."²⁹

That the editor of the *Republican* was utterly devoid of a saving sense of humor may be gathered from the fact that a week later we find him objecting to a musical performance by Alf Howard upon somewhat the same ground on which he had found fault with Twain. "He evoked sweeter music than we had ever before heard,— or supposed possible from a guitar, and had his concert not been marred by senseless and pointless attempts to delineate eccentric characters, it would have been a success."³⁰ And when we learn that not even "the glorious O. O. Howard, the Christian Hero and soldier", quite satisfied the editor, since he treated his subject "Christian Experience in the Army" differently from what was expected, we may understand³¹ the reluctance of the editor of the *Ottumwa Courier* to believe the Iowa City editor until he had heard Twain's side of the story.³²

John P. Irish, editor of the *State Press*, had very little to say of Twain's lecture, though what he said was favor-

²⁹ *Iowa City Republican*, January 20, 1869.

³⁰ *Iowa City Republican*, January 27, 1869.

³¹ *The Ottumwa Courier* (Daily), January 26, 1869. The Ottumwa editor, J. M. Hedrick, was obviously an admirer of Twain's humor. He followed his lecture tour with considerable interest and inserted many of Twain's humorous remarks and anecdotes in the columns of his paper.

³² *The Ottumwa Courier* (Daily), February 3, 1869. Professor Parvin of the University of Iowa, whose diary gives many interesting glimpses of the University in the early decades of its existence, was celebrating his birthday at the home of his sister the evening that Mark Twain lectured at Iowa City. He does not note the lecture in his diary, but on March 3, 1869, he wrote, "Lecture by Taylor, 'Failure, the Alphabet of Success'— best of the season." Parvin's interesting diary is to be found at the Masonic Library at Cedar Rapids.

able. "His style of humor is quite original and his sentiment, though mostly borrowed from 'Eothen', . . . was quite well rendered."³³

THE RIVER TRIP OF 1882

Clemens had long planned to complete his book on the Mississippi River, but it was the spring of 1882 before he could actually make a start. In April he and James R. Osgood, his publisher, and Roswell Phelps of Hartford, a stenographer engaged to take notes, left for St. Louis,³⁴ whence they intended to make the river trip to New Orleans and then back up the river all the way to St. Paul. In order to avoid distraction they planned to travel incognito,³⁵ but Twain was recognized as soon as he arrived in St. Louis. After that attempts at secrecy were abandoned, for the news of Twain's plans soon became known up and down the whole extent of the river.

On the return trip, Osgood, aware perhaps of Twain's plans to visit for three days in Hannibal, left the party at St. Louis, agreeing to pick them up again at Davenport.³⁶ It was on May 17th that Twain stepped aboard the *Minneapolis* at Hannibal to continue the trip. He was by no means happy. His visit with old Hannibal friends had

³³ *State Press* (Iowa City), January 20, 1869. *Eothen*, by Alexander William Kinglake, was published in England in 1844 and in America the following year. It was probably the most widely read and successful travel book prior to *Innocents Abroad*. The Century Classics Edition of *Eothen*, put out by the Century Company, New York, 1900, carries an introduction by no less a person than James Bryce.

³⁴ "Our idea is to strike across lots and reach St. Louis the 20th of April — thence we propose to drift southward, stopping at some towns a few hours or a night, every day, and making notes."—*Mark Twain's Letters*, Vol. I, p. 417.

³⁵ Clemens traveled as C. L. Samuel, of New York. "I don't know what Osgood's name will be but he can't use his own."—*Mark Twain's Letters*, Vol. I, pp. 417, 418.

³⁶ *Keokuk Daily Constitution*, May 18, 1882.

saddened him, and now, with Osgood gone, he had little heart to go on.³⁷ On the boat that day he wrote his wife: "Livy darling, I am desperately homesick. But I have promised Osgood, and now I must stick it out; otherwise I would take the train at once and break for home. . . . Now I am under way again, upon this hideous trip to St. Paul with a heart brimming full of thoughts and images of you and Susie and Bay and the peerless Jean." The letter was sent from Quincy, Illinois.³⁸ The same evening, May 17th, the *Minneapolis* docked at Keokuk.

News of Twain's coming had, of course, preceded him, and upon the arrival of the boat, Judge Davis, Ed. F. Brownell, Al Patterson, and Dr. J. M. Shaffer went on board to greet him and to take him off for an hour or two, while the boat stopped, to talk over old times.³⁹ Though it is highly probable that the party went up to Orion's house to visit with the family, no mention is made of the fact in the Keokuk papers.

It had been 1867 on the occasion of his "Sandwich Islands" lecture that he had last been in Keokuk, and though the intervening fifteen years had brought many changes, the city was not altogether strange to him. "It was night, and we could not see details", he wrote in his *Life on the Mississippi*, "for which we were sorry, for Keokuk has the reputation of being a beautiful city. It was a pleasant one to live in years ago."⁴⁰

When the party returned to the boat, a reporter from the *Constitution* and one from the *Gate City* joined them. Chairs were drawn up on the deck, and for a little while longer the talk went on. Twain stated that he had visited

³⁷ Phelps came up with Twain.—*Keokuk Daily Constitution*, May 18, 1882.

³⁸ Paine's *Mark Twain's Letters*, Vol. I, p. 419.

³⁹ *Keokuk Daily Constitution*, May 18, 1882.

⁴⁰ Clemens's *Life on the Mississippi*, p. 556.

Keokuk last in 1867. He told them briefly of his purpose in making the river trip and confessed that he had not intended making it so extensive, but since Osgood had kept faith with him he would go through with it.

He expressed sorrow at not being able to stop at Keokuk for a few days and visit with old friends, but that, he said, would be impossible. When told, thereupon, that the Burlington papers had stated that Twain would probably spend a day or two there, he remarked in substance that they were mistaken, that he did not intend staying there longer than the boat did.⁴¹

Shortly after 11 o'clock, the *Minneapolis* pulled away⁴² and continued the journey up river, going over the Rapids by way of the canal, "A mighty work", says Twain, "which was in progress there in my day".⁴³

The following morning when the *Minneapolis* drew up at Burlington, Clemens took advantage of a delay and stepped ashore to get a glimpse at the town. He was met at the bank by Captain William Hillhouse, who in the early days had known Clemens as a cub pilot on the lower river. At Clemens's request, Hillhouse took a walk with him to North Hill, from which Hillhouse pointed out to him things of interest about the town. Twain was delighted with the scenery. The spirit of progress impressed him.⁴⁴ "In Burlington as in all these upper-river towns, one breathes a go-ahead atmosphere which tastes good in the nostrils." He noted the Burlington paid fire department and the new opera house, recently completed, in which three years later he and Cable were to delight Burlington audiences⁴⁵ with

⁴¹ *Keokuk Daily Constitution*, May 18, 1882.

⁴² *Keokuk Daily Constitution*, May 18, 1882.

⁴³ Clemens's *Life on the Mississippi*, p. 556.

⁴⁴ *The Burlington Hawkeye*, May 19, 1882.

⁴⁵ Clemens's *Life on the Mississippi*, p. 408.

their readings. Just before he returned to the boat, he stopped for a moment to call at the *Hawkeye* office, in the composing room of which, so the *Hawkeye* reports, Clemens worked before the war.⁴⁶

As a result of conflicting news items from down the river, the Muscatine papers, which had shown a lively interest in the coming of the great humorist, were unable to report exactly whether or not Clemens would be aboard the *Minneapolis*.⁴⁷ In spite of the uncertainty, a number of citizens, mostly young people, were at the landing when the boat arrived at five P. M. to get a glimpse of him. "He was not at first visible", the *Journal* article reports, "having retired to his stateroom, as he afterward admitted, to avoid being made a public spectacle. The senior editor of the *Journal*, however, with whom Mr. Clemens was employed as a printer in this place 28 years ago, sought him out and was at once recognized."⁴⁸ At the editor's invitation Clemens came out of his stateroom to take a look at the city. The place had greatly changed and on the whole had an unfamiliar look,⁴⁹ though not so much that he did not recognize some of the buildings. Among others he made out the old Ogilvie House, then known as the Commercial House.⁵⁰ Clemens remembered by name some of the older citizens

⁴⁶ This is highly improbable. If Clemens ever worked for the *Hawkeye* it must have been in the fall of 1854 after his departure from Muscatine and before his arrival in St. Louis, where he remained till he joined Orion at Keokuk in the late summer or fall of 1855. But neither Clemens nor Paine ever allude to the matter, nor does the present *Hawkeye* staff, according to Clay Waite, know anything of his early connection with the paper. The *Hawkeye* article, with a fine touch of local pride, goes on to say, "at that time he (Clemens) liked Burlington so well that even after he went down to Keokuk to work, he always came back here to spend Sunday."—*The Burlington Hawkeye*, May 19, 1882.

⁴⁷ *Muscatine Journal* (Daily), May 18, 1882.

⁴⁸ *Muscatine Journal* (Daily), May 19, 1882.

⁴⁹ Clemens's *Life on the Mississippi*, p. 562.

⁵⁰ *Muscatine Journal* (Daily), May 19, 1882.

and inquired after Mr. Burnett and Mr. Denison.⁵¹ As it happened, Mr. Denison was at the landing with his horse and buggy and invited Clemens to ride about the city with him, but there was not sufficient time.

The people of Muscatine who had come down to see Clemens were favorably impressed with his person and manner. It was noted that he was plainly dressed and that he was entirely free from ostentation. He greeted his old acquaintances cordially and expressed regret that his arrangements made a more extended visit impossible.⁵²

It was probably dark by the time the *Minneapolis* reached Davenport. It is doubtful if Twain stepped ashore, despite his statistical knowledge of Davenport's claim to progress and culture found in his *Life on the Mississippi*. Had he gone ashore or even made his presence known, the Davenport newspapers would certainly have noted the fact. It is probable, however, that Osgood, who had left him at St. Louis, again joined him at this point, as agreed, for when the *Minneapolis* docked at Dubuque the following afternoon Osgood is mentioned as a member of the party.⁵³

At Dubuque Twain probably spent a few hours ashore. Although his presence in the city was noted, no formal interview seems to have been obtained. The item about his visit is both brief and uninteresting.⁵⁴

TWAIN'S LECTURE TOUR OF 1884-1885

When in the fall of 1884 Twain found himself hard pressed for money, owing to the drain of many investments and the establishment of a publishing company, he con-

⁵¹ *Muscatine Journal* (Daily), May 19, 1882. Concerning Mr. Denison and Mr. Burnett see p. 416 of *THE IOWA JOURNAL OF HISTORY AND POLITICS* for July, 1929

⁵² *Muscatine Journal* (Daily), May 19, 1882.

⁵³ *The Dubuque Herald* (Daily), May 20, 1882.

⁵⁴ *The Dubuque Herald* (Daily), May 20, 1882.

ceived what he himself might have called a "gaudy" plan. "He proposed to Aldrich, Howells and Cable", says Paine, "that he charter a private car . . . and with their own housekeeping arrangements, cooking, etc., they could go swinging around the (lecture) circuit reaping a golden harvest." But the plan fell through, and only Cable, who up to this time had been stumping the country on his own account, joined him.⁵⁵ J. B. Pond, who had been engaged to manage the tour, arranged all matters of business and was to receive a percentage of gross receipts for his services. Twain, of course, owned the show and paid Cable a stipulated sum each week, and traveling expenses.⁵⁶

The program given by the two men⁵⁷ varied on occasion or when exigencies demanded but for the most part it was as follows:

PROGRAM

Richling's Visit to Kate Riley

— Geo. W. Cable

King Sollermun

— Mark Twain

(a) Kate Riley and Ristofolo

(b) Narcisse in Mourning for "Lady Byron"

(c) Mary's Night Ride

— Geo. W. Cable

(a) Tragic Tale of the Fishwife

(b) A Trying Situation

(c) A Ghost Story

— Mark Twain

⁵⁵ Paine's *Mark Twain: A Biography*, Vol. II, pp. 783, 784.

⁵⁶ Paine's *Mark Twain: A Biography*, Vol. II, p. 784. Paine gives \$450.00 as the amount paid Cable. Pond in his book *Eccentricities of a Genius*, page 231, gives the amount as \$600. Kate O'Leary reports the sum of \$500.—Lawton's *A Life Time with Mark Twain*, p. 78.

⁵⁷ Paine's *Mark Twain: A Biography*, Vol. II, p. 785.

It was on Wednesday evening of January 15, 1885,⁵⁸ after they had been on the road since November, that the oddly matched pair arrived at Keokuk. A fierce blizzard was in progress. It was snowing hard and the temperature was plunging downward.⁵⁹ As the train which brought them from Hannibal arrived only a few minutes before the time for the performance to begin, Clemens found no opportunity to greet his mother and Orion and the other Keokuk kinfolk.⁶⁰ Cable began his reading at once by giving a selection from *Dr. Sevier*, but the constant commotion caused by late comers unfortunately prevented the audience from enjoying this portion of the program.

"Mark Twain came next, and the appearance of the ungainly body and the shaggy head was the signal for applause. . . . He called the audience friends and fellow townsmen, told them he was glad to resume an intercourse that had been broken off years ago, said he was very sorry to have been the cause of bringing them out upon such a night, but that they were no worse off than the people of some seventy-five cities already visited by them this season, that a storm generally preceded their coming, and if feeling well they always left a famine behind them." Mark Twain then delighted his audience with his amusing description of the discussion between the darkey, Jim, and Huck Finn, on the relative merits and demerits of "King Sollermun". Cable's next reading, "Kate Riley and Ristofolo", this time unspoiled by interruptions, was well received. In fact, considering the umbrage into which Cable was cast by the presence of Twain among the enthusiastic

⁵⁸ Robert J. Burdette was also lecturing in Iowa this week. It was arranged between him and Clemens not to show in the same towns on the same day.—*The Davenport Democrat* (Daily), January 17, 1885.

⁵⁹ *Keokuk Gate City* (Daily), January 15, 1885.

⁶⁰ *Keokuk Gate City* (Daily), January 16, 1885.

people of Keokuk, he appears to have come off remarkably well. His last selection, "Mary's Night Ride", was his best, and won hearty applause from the Keokuk audience.

Twain's most successful reading that evening was the history of his tussle with the German language. He narrated his lamentable failure to decline the adjectives properly and to master the intricacies of the German genders of nouns. The audience was convulsed. Again and again the audience demanded his reappearance. Twice Twain responded, reading first his very funny stuttering story, and then, to the entire satisfaction of the audience, a sailor's yarn. Before his final appearance he gave "A Trying Situation", and then, after Cable's final reading, Twain substituted as his last number some personal reminiscences of his days of roughing it in the West, particularly of his well-known duelling experience.⁶¹

"Following the Twain-Cable entertainment . . . there was a bit of recitation of which only a few who were straggling in the rear of the outsurging crowds were the auditors. . . . At the conclusion of the entertainment and after the usual handshaking with his old friends, the great humorist began stretching his neck toward the box his mother had occupied during the evening, but she had withdrawn and his eyes caught sight of the silver-haired old lady in the rear of the Opera House sitting among a circle of relatives and friends awaiting his coming. He came; and quickly.

" 'Why, Sam, I didn't know you', was the mother's greeting as he gave her a kiss and a hug.

" 'That's because I'm getting so good looking', was the reply as he performed the bear act." Twain's remark must have amused the *Gate City* reporter who was probably within earshot, for he writes, "If this is the fact, and it is

⁶¹ *Keokuk Gate City* (Daily), January 15, 1885.

generally understood that Mark Twain is truthful, we feel grateful that he didn't appear before us in his previous condition. As far as looks are concerned Twain would never capture a premium at a beauty show."⁶²

Then for a little while, as relatives and friends gathered about Clemens, there was an attempt at conversation, but Twain crowded it all out. Presently he led his aged mother to a waiting carriage, hugging and kissing her as they went along.

That night and all the next day Clemens spent in Keokuk visiting with his mother at Orion's home at 628 High Street. Many of his old friends and acquaintances came to call on him and were entertained in Twain's most jolly way. And there was no happier woman in all Keokuk that day, we are told, than Mrs. Jane Clemens. Though already in her eighty-second year she was still active and in good health.⁶³

Twain's great popularity and the fact that he was a former resident gave rise to many reminiscences of the days when Sam Clemens lived in Keokuk before the war and of his piloting experiences on the river. An old printer produced, as a curiosity, a copy of the old 1856 Keokuk directory which Orion had made up, and on which Sam had labored many an hour, and in which he had written himself down as "Antiquarian."⁶⁴ It was recalled that he was a constant joker in the early days. "At one time he made a speech on Main Street", recalled J. F. Fry, "in which he 'took off' all the lawyers in Keokuk."⁶⁵ Another episode lingering in the memories of some of the older men was the occasion of the printers' celebration of Ben Franklin's

⁶² *Keokuk Gate City* (Daily), January 16, 1885.

⁶³ *Keokuk Gate City* (Daily), January 16, 1885.

⁶⁴ *Keokuk Gate City* (Daily), January 16, 1885.

⁶⁵ *Keokuk Gate City* (Daily), January 16, 1885.

birthday when Sam made his first speech.⁶⁶ Another reminiscence concerning Mark Twain's military service was printed in the *Gate City* and is so amusing that it is given here in full.

While the Sherman-Davis controversy is before the people raking up old war issues, and while anecdotes of Mark Twain are pat in this locality, I think it proper that his war record should be known and I am surprised that he has not given it himself as it is a funny chapter in his history. I gathered the following from an old school mate and friend and can vouch for it all:

At the opening of the War Mark Twain was piloting a steamboat on the lower Mississippi but on one of his trips was stopped by a blockade and he returned to his boyhood home in Florida, Mo., and there joined a company of rebel soldiers. This company remained at this point until rumors of approaching Yankees induced them to go farther South. Mark Twain was mounted on a mule and the company moved off, making a slight detour and finally bringing up at Louisiana, Mo., where Mark Twain, tiring of the army, after a continuous service of fully three weeks, sold his mule for \$15 and resigned his position as a private. On being interrogated as to his cause of so soon leaving the army, he replied that the mule was too rough and he couldn't stand it any longer and that it hurt his feet to walk.

Thus because of a mule did the South lose a valiant soldier and the world gain an author, and should the house of Twain ever have an escutcheon, what better emblem could be emblazoned upon it than a mule.⁶⁷

The next evening, Thursday, January 15th, the "Twins of Genius" were to lecture at Burlington. Cable, fortunately, had arrived there Thursday morning, and when the time came to begin the program that evening he made his appearance promptly.⁶⁸ Twain, as we shall see, was greatly delayed and had a grievous time of it. By rare

⁶⁶ *Keokuk Gate City* (Daily), January 17, 1885.

⁶⁷ *Keokuk Gate City* (Daily), January 17, 1885.

⁶⁸ *The Burlington Hawkeye*, January 16, 1885.

good fortune one of the editors of the *Fort Madison Democrat*, who perhaps had gone to Keokuk to attend the Twain-Cable program, though he does not say so, gives us the story in great detail.

It was Thursday evening. The small 18 x 20 waiting room of the C. B. & Q. Road at Keokuk was filled to overflowing with people of all kinds, sizes and descriptions. There were ministers, advance agents for dramatic combinations, commercial men, stable men. . . . The few dim lights that made an effort to shine out through chimneys made black by constant use and inattention, were only made the more so by the mighty cloud of tobacco smoke that filled the room. The train that should have arrived at 5:50 to bear the subject of this sketch to Burlington (where his other half, Geo. W. Cable, was patiently . . . awaiting him) and ourselves to our destination, Madison, was reported half an hour late, caused by the snow which was rapidly falling and constantly drifting upon the track. A half hour passed and signs there were none of the train. We heard a grunt. Our attention was attracted to a form, evidently that of a man, perched upon a high stool near a lunch counter, upon which doughnuts and other decrepit edibles found slow sale, or more properly an eternal abiding place. We looked at the form. It attracted our attention, perched as it was upon the elevated "settee", with its heels recklessly clinched on the top rung, which caused the knees to come in almost immediate contact with the chin. Closer examination convinced us that it was a man, and the occasional grunts that he was alive, though worried, perplexed, and disappointed. We spotted the personage as Mark Twain. A pair of heavy arctics covered his feet, while a slouch hat, pulled carelessly out of shape, protected his head. From under the brim peered out a few curly locks. Between this and a high collared over-coat was a face. The expression compared favorably with the growling emissions, so we knew that they came from none other than Mark Twain.

An hour later our discovery found the form dismounted and tusseling with a huge valise and a smaller parcel. The long expected train had come. The sight of it seemed to lift a wrinkle from the face of Mr. Twain, who made at once for the door of the dingy room, thence to the rear car, the sleeper. We followed him. He walked down the long platform, and with his eyes down bent or

half closed caused by the blowing snow. He failed to recognize the fact that platforms, as well as everything else have an end, and fell headlong into the snow bank, his grips going in opposite directions. We were not far behind and came near meeting with the same fate. At last we ventured to speak.

"Did you lose anything, Mr. Twain?"

"No, I guess I'm all here", he replied.

The car was finally reached and Mr. Twain was assigned a section directly opposite the one we made convenient to occupy. The humorist commenced taking off his outside wraps, and when the task was done he had undergone a complete metamorphosis. He wore a full evening suit of black. The open fronted vest exhibited a newly laundered shirt front from the collar of which article fell a soft black tie. The clear yellow light of the porcelain shaded lamps of the car presented to us a different appearing man than the form before mentioned. Mr. Twain is a man of medium height, light weight, well formed shoulders, heavy curly gray hair, a prominent mustache slightly silvered, and a face that is a study. Perhaps the expression he wore was his best; for 'twas a compound of expectancy, eagerness, disappointment and regret, certainly one interesting to behold.

Mr. Twain was not in a pleasant position; he knew it, he felt it. He knew that 9 o'clock was but a few minutes distant, and he was only fairly started with forty-three miles to go. Had we better brave the lion in his wrath, thought we; was it wise to interrupt the lethargy into which he had fallen? An interview which to us would be so pleasant, so satisfactory, would to him be dull, uninteresting and stupid. . . . and yet that love for "self" quite overcame us. We made the break.

"Mr. Twain allow us to introduce ourselves. We can readily tell that we are addressing the proper person and believe that we can guess your frame of mind." We handed him our business card.

"Sit down," he said, pointing to a seat in his section and extending his hand.

We sat.

He spied the name of "Potowonok" on our card (it was one of some that we had left), and upon inquiry as to its meaning, we told him all that we knew about it, and considerable that we guessed, and the conversation drifted upon the Indian race. He remarked about the scarcity of the red man within the last few

years, or at least of his becoming so rapidly civilized, and of so few who kept their blankets, feathers, etc., in constant use.

He conversed on other topics as well. Survived a well meant compliment on his famous volumes, etc., etc.

We inquired as to his success in his present pursuit, and he replied that his reception had been favorable since his commencement last fall. Reaching Velie Station he said, "I must have a porter go ashore and send a telegram; excuse me, please."

We said, "certainly," and suggested that the message might be called a "Cable-gram".

Whether or not he appreciated the pun we were not able to decide, as we changed our section to the farther end of the car and had only the courage to nod a farewell when the train pulled into the station.⁶⁹

At what time Twain reached Burlington can only be surmised, but it was probably as late as half past ten.⁷⁰ Cable by this time had given his usual program and probably more. Finally, when the audience had given up hope of seeing Twain, the long awaited humorist made his appearance ambling onto the stage, his head thrust forward, his eyes half closed and his hands rolling around, one in the other. He then stepped to the footlights, leaned his head forward and in his well-known drawl addressed his audience.⁷¹

The *Burlington Hawkeye*, which reported the program at length, gives Twain's humorous explanation for the cause of his delay:

He said he had stopped through the day with his mother in

⁶⁹ *The Fort Madison Democrat*, January 21, 1885. Ed. M. Roberts was then senior editor of the *Democrat*. His son, N. C. Roberts of Fort Madison, after a careful reading of the news article, is quite certain his father did not write it. Nor does he believe it bears the imprint of his younger brother, Ed. M. Roberts, Jr., who was city editor of the *Democrat* at that time. It was, he is quite sure, the work of his older brother, the late Doctor Frank C. Roberts. — Personal letter from N. C. Roberts, Fort Madison, dated May 9, 1928.

⁷⁰ *The Burlington Hawkeye*, January 16, 1885.

⁷¹ *The Burlington Gazette*, January 16, 1885.

Keokuk. She was eighty-two years old; she was the only mother he had; their homes being a thousand miles apart he might never see her again. He thought he could trust the St. Louis train, but his trust was betrayed. It started from Keokuk an hour late and had been getting an hour later ever since. On the way they broke something. A dispute arose as to what it was that was broken. It took forty minutes to decide the dispute, and five minutes to repair the damage.⁷²

Thereupon Twain began his readings, limiting his selections, it appears, to his disastrous experiences with the German language, the "Tragic Tale of the Fishwife", and "A Trying Situation". The audience would greatly have enjoyed the selection from *Huckleberry Finn*, but the time was too short.⁷³

It was a late hour when the entertainment finally ended, but the audience went home greatly pleased. Cable had charmed them. "He is small and delicate, with finely molded features and form. He is the embodiment of grace in speech, diction, and manner", wrote the *Hawkeye* reporter. And Twain, who in contrast with Cable appeared large, awkward, and inclined to be uncouth, exceeded their expectations.⁷⁴

The size of the audience which had attended the entertainment was, however, as we discover later, not exceedingly large. "In point of numbers it was a fair Burlington lecture audience. . . . Still it was not what the reputation of the combination should have drawn nor what their performance deserved. But it was an intelligent and appreciative audience; as good in this respect, perhaps, as the city can turn out."⁷⁵ Although the price of admission does not seem to have been considered too high (\$1.00, 75¢,

⁷² *The Burlington Hawkeye*, January 16, 1885.

⁷³ *The Burlington Hawkeye*, January 16, 1885.

⁷⁴ *The Burlington Hawkeye*, January 16, 1885.

⁷⁵ *The Burlington Hawkeye*, January 16, 1885.

and 50¢), at least two other factors operated against attendance. The storm was still raging and the snow was so deep that many of the older people did not venture out;⁷⁶ and two other entertainments of a popular nature were given the same evening.⁷⁷

J. B. Pond, Twain's manager, was undoubtedly aware of the possibilities which might result from competing programs for he advertised extensively in both the *Hawkeye* and the *Gazette*, inserting in addition to the regular matter, a line of blurb in nearly every column of the local news page. It is highly probable also that Pond had sent on to Burlington several days in advance some terra cotta bas-reliefs of George W. Cable and Mark Twain, for two days before the lecture a number of these were on exhibition throughout the city.⁷⁸ But it was quite by accident, as far as Twain was concerned, that a woman engaged in the sale of his *Life on the Mississippi*, happened into Burlington on the day of the lecture. It was predicted that she would be detained in the city several days.⁷⁹

That the Twain-Cable appearance was a notable event to the people of Burlington may, as a final word, be inferred from the number and nature of the comments that continued to appear in the Burlington papers two days after the performance. Two of these show the type: "Cable's Creole Songs are Rich", and "Twain and Cable are a Pair to draw to."⁸⁰

An item in the *Davenport Gazette* to the effect that an effort should be made to have Twain and Cable visit Davenport, suggests that Pond had not booked that city on the

⁷⁶ *The Burlington Gazette*, January 16, 1885.

⁷⁷ *The Burlington Hawkeye*, January 15, 16, 1885.

⁷⁸ *The Burlington Gazette*, January 13, 1885.

⁷⁹ *The Burlington Hawkeye*, January 16, 1885.

⁸⁰ *The Burlington Hawkeye*, January 17, 1885.

itinerary.⁸¹ The effort was evidently made, for on January 31, 1885, two weeks after their appearance at Burlington, they made their appearance in Davenport, having been out of the State during the entire interval. They arrived in the morning and registered at the Kimball House. Cable spent the day quietly in his room, but Twain indulged his passion for billiards, apparently undisturbed by the curiosity of the onlookers.⁸²

That evening a thousand or more people greeted the entertainers at the Burtis Opera House.⁸³ With customary promptness, almost before the audience had assembled, Cable stepped out on the platform. "I propose, if it suits your pleasure, to commence at once. I hope the audience will feel no embarrassment and that the auditors will be kind enough to give me one eye apiece at least and I will commence the programme. I mention my novel 'Dr. Sevier', so you will not think that I am Mark Twain. It would hurt his feelings."⁸⁴ When Cable had finished his first selection, there was only slight applause, owing probably to the disturbance created by the late comers.⁸⁵ Twain's appearance was greeted by vociferous cheering. His manner of coming on the stage, which was generally remarked by audiences everywhere, impressed the Davenport auditors also. "He has a peculiar manner of walking side wise and looking up at the gallery", wrote one newspaper reporter.⁸⁶ Another observed, "He starts on in a funny little jog trot half sideways, with eyes cast up to the gallery, with a comical look of inquiry and half appeal.

⁸¹ *The Davenport Gazette* (Daily), January 15, 1885.

⁸² *The Davenport Democrat* (Daily), January 31, 1885.

⁸³ *The Davenport Sunday Democrat*, February 1, 1885.

⁸⁴ *The Davenport Gazette* (Daily), January 31, 1885.

⁸⁵ *The Davenport Gazette* (Daily), February 1, 1885.

⁸⁶ *The Davenport Gazette* (Daily), February 1, 1885.

Then he begins to deliver his humorous conceits with an expression of placid and child-like innocence that is almost as ludicrous as the words he is uttering. His gestures are eloquent if not graceful and would make any audience laugh, even if Mark Twain had nothing to say."⁸⁷

He read first from *Huckleberry Finn* and delighted his audience so immensely that the entire assembly were ready at the touch to respond to either humor or pathos whether from Cable or Twain. Throughout the performance, as Twain and Cable alternated, each was repeatedly encored. The selection "Mary's Night Ride" was probably Cable's most acceptable effort, though all of his selections after the first were highly appreciated. It would be difficult to say which of Twain's readings gave the most pleasure so generally enthusiastic does the audience appear to have been. *Huckleberry Finn* received the most newspaper space, though that may have been because the narrative was easy to follow. Certainly the "Tragic Tale of the Fishwife", with its humorous assault upon the intricacies of the German inflections, convulsed the auditors.⁸⁸

The program had taken place on a Saturday evening, and since Cable had conscientious scruples about traveling on Sunday, he decided to remain in Davenport till Monday. Sunday morning he attended the First Presbyterian Church, the church of his faith. "A portion of the afternoon and the evening he passed with the family of Mr. George W. Cable of Davenport — the same name and same descent — and attended evening services at the Congregational Church."⁸⁹ He left for Chicago Monday morning.

Twain had left Davenport Saturday night at eleven

⁸⁷ *The Davenport Sunday Democrat*, February 1, 1885.

⁸⁸ *The Davenport Gazette* (Daily), February 1, 1885, and *The Davenport Sunday Democrat*, February 1, 1885.

⁸⁹ *The Davenport Gazette* (Daily), February 1, 1885.

o'clock, immediately after the performance. Pond may have been with him, as reported by the *Davenport Gazette*,⁹⁰ but that is unlikely. While at Milwaukee the manager had suffered a heart attack that had confined him to his bed for several days. On February 5th, the *Milwaukee Journal* reports Pond slowly recovering and that he would be able to attend to business shortly.

When Twain had lectured in Davenport in 1869 his presence in town had scarcely been noted, but in 1885 his movements were carefully observed by the reporters. The *Davenport Democrat* prints the following interesting interview with Twain:

"Cable and I started on this raid the day after the presidential election and have been on the road ever since," replied Mr. Clemens, in his peculiar drawl in answer to a question. "Two years ago I got some such plan as this in my head. I wanted to get a larger menagerie together, Howells, T. B. Aldrich, 'Uncle Remus', Cable and myself, so that we could all go on the stage together, and each read two minutes or so and pose as 'the happy family' between times. But Howells had to go to Italy on a commission from the Century, which will take him a year to fulfill; and the others couldn't join us for one reason or another, and so Cable and I started out alone. I suppose I might have gone out on some such expedition all by myself, but I'm afraid it wouldn't be pleasant. I want somebody to keep me in countenance on the stage, and to help me impose on the audience. But more than that I want good company on the road and at the hotels. A man can start out alone and rob the public, but it's dreary work, and it's a cold blooded thing to do."

"That's a fact," asserted Mr. Cable. "Last year I travelled and read alone, but it was lonesome."⁹¹

A FAMILY REUNION — 1886

If the penetrating little Susie Clemens had continued her biography but a week more, our knowledge of the visit

⁹⁰ *The Davenport Gazette* (Daily), February 1, 1885.

⁹¹ *The Davenport Democrat* (Daily), February 2, 1885.

Clemens and his family paid to Grandma Clemens at Keokuk in the summer of 1886 would not only be more complete but infinitely more intimate. "We have arrived in Keokuk after a very pleasant"—runs the unfinished sentence, the last that Susie ever wrote in her biography.⁹² Could it have been that Susie, overwhelmed by the abundance of experiences crowded into those five glorious summer days at "Uncle Orion's", felt unequal to the task of recording them until the biographic urge had given way to others? Certainly she could have found no time to write while at Keokuk; and had she found time, the crowded condition of the household could scarcely have afforded opportunities.

The occasion of Twain's visit to Keokuk was a family reunion.⁹³ Grandma Clemens was in her eighty-third year, and though physically she was yet very active, mentally she was already suffering those lapses which during the last years of her life almost completely clouded her memory. Orion and Pamela, both older than Sam, were well past middle age—in fact old people. It was high time for a family reunion. Accompanying Twain were his wife and the three children—Susie, Clara, and Jean—and a German governess.⁹⁴ They came by way of the Lakes to St. Paul, from which point Clemens had planned a river trip to Keokuk.⁹⁵

It is easy to imagine the great delight with which Clemens thus initiated his family into Mississippi steamboating. And the children, who had often been thrilled by their father's fascinating stories of early days on the Missis-

⁹² Paine's *Mark Twain: A Biography*, Vol. II, p. 845.

⁹³ *Keokuk Gate City*, July 1, 1886.

⁹⁴ Paine's *Mark Twain's Letters*, Vol. II, p. 470. Information about the governess was supplied by a personal letter from Mrs. Margaret Collisson of Keokuk who was a neighbor of the Clemens family and at whose house the children and the governess stayed at night during the visit.

⁹⁵ Paine's *Mark Twain: A Biography*, Vol. II, p. 844.

sippi, must have regarded the experiences as a dream that had come true. Only one incident of the river trip has been preserved. It occurred on the evening of the first day. The boat had entered a shoal crossing. "Clemens, standing alone on the hurricane deck, heard the big bell forward boom out the call for leads. Then came the leadsman's long-drawn chant, once so familiar, the monotonous repeating in river parlance of the depths of water. Presently the lead had found that depth of water signified by his *nom de plume* and the call of 'Mark Twain, Mark Twain' floated up to him like a summons from the past. All at once a little figure came running down the deck, and Clara confronted him, reprovingly:

" 'Papa,' she said, 'I have hunted all over the boat for you. Don't you know they are calling for you?' " ⁹⁶

That was on the evening of July first. Earlier in the day Twain had sent Orion a telegram stating the fact that he had left St. Paul on the *War Eagle*.⁹⁷ It was not until ten o'clock the following evening that the boat pulled up at the Keokuk landing.⁹⁸

If on the following morning Twain expected a long morning's rest in bed, as was customary with him, he was greatly disappointed. The Fourth of July fell on Sunday and the celebration of the event was advanced to the third. The day, dawning bright and clear, was ushered in with the ringing of bells, the reports of explosives, and the detonations of cannon. As the morning advanced the city was profusely decorated. An industrial parade, headed by Wittick's Second Regimental Band, moved up Main Street, the fire department followed, and finally came the wagons and teams representing the business interests. It was esti-

⁹⁶ Paine's *Mark Twain: A Biography*, Vol. II, p. 845.

⁹⁷ *Keokuk Gate City*, July 1, 1886.

⁹⁸ *Keokuk Gate City*, July 3, 1886.

mated that the number of strangers in the city was between eight and ten thousand.

At two o'clock the exercises began at Rand Park. An immense crowd had gathered there, and despite the favorable position of the park, situated as it is on a high bluff overlooking the river, the weather was too hot for comfort.

Since Orion was on the program, it is likely that the family went out to the park in a group. When Mark Twain appeared and was recognized, a murmur of "There he is" ran through the crowd and people edged up to get a closer view. He was dressed entirely in white duck with a tall white hat. To the people of Keokuk, unfamiliar with Twain's love of distinctiveness of attire, his appearance must have been unusually interesting.

The exercises consisted of the customary Fourth of July prayers and speeches. After the Hon. Gibson Browne, president of the day, had called the assemblage to order and the Reverend R. C. McIlwain had offered prayer, Orion Clemens read the Declaration of Independence in a clear and distinct manner. Then followed a stirring speech by the Honorable Thomas Hedge of Burlington, the chief orator of the day, rousing the people to the ideals of democratic institutions. At the conclusion of the oration Samuel Clemens was called for. He was introduced amid enthusiastic applause. His talk, though short, was no doubt a happy relief from the oppressive heat of the day and from the heightened emotional effect of Hedge's studied oration.

He little thought, Clemens is reported to have begun, when the boys awoke him at 4 o'clock in the morning that he would be called upon to add to that noise. The audience had heard all there was to be heard, the evidence was all in, and all that remained for him was to deliver the verdict. They had heard the Declaration of Independence read, which had lasted through all the Fourth of July's in the

past and would for all time to come. They had heard the orator of the day and the noble tribute he had paid to the fathers of the country and the happy sketch which he gave of the nation's history. It was a successful day. "I stand here", said Twain, "to thank the committee for the opportunity of standing face to face with the men and women whom I knew thirty years ago. Keokuk was then a city of 3000 inhabitants and they drank 3000 barrels of whiskey per year. They drank it in public then; now they don't. (Laughter) Vast strides have been made during the past thirty years. A poet has said, 'Better fifty years of England than all the cycles of Cathay.' But I say better one decade of this period than the 900 years of Methusaleh. There is more done now in a year than he ever saw in all his life. Methusaleh lived over 900 years but he never saw a barbed wire fence. (Laughter) I know that the man who makes the last speech on an occasion like this has the best of the other speakers, as he has the last word to say, which falls like a balm on the audience — though this audience has not been bored today — and though I can't say that last word, I will do the next best thing I can and that is to sit down."

When Twain had retired amid hearty applause and the clapping of hands, and the Reverend T. H. Cleland had pronounced the benediction, the ceremonies at Rand Park ended for the afternoon.⁹⁹

Only a few glimpses are granted us of what took place at the Clemens home during the next two days. The children — Susie, Clara, and Jean — and the German governess, on account of the congestion at Orion's, were quartered at McElroy's, a near neighbor. The weather, especially at night, was insufferably hot, for we hear of Jean and Clara sitting up in bed there crying about the heat. Jean, we

⁹⁹ *Keokuk Gate City*, July 6, 1886.

learn, had one day fallen and hurt her arm, and Dr. Jenkins, an old friend of the family, who lived just across the street, had very tenderly attended to it and had managed to get the pain out quickly.¹⁰⁰

It was during these days, perhaps at the suggestion of the McElroys, that a time was set at Orion's for an exchange of autographs.¹⁰¹ Those of the children and of Mark Twain have been preserved. They are now in the Mark Twain Room in the Iowa Mutual Insurance Building at Keokuk. A diversion exclusively for the children was planned by a cousin of Dr. Jenkins who happened to be visiting in Keokuk at the time. She gave all of the neighborhood children a delightful picnic at Rand Park. The picnic was in honor of the visiting Clemens children.¹⁰²

It was probably during these days also that Sam talked with Orion about securing a nurse for their mother and about a house more satisfactorily arranged, in view of the increasing burden resting upon Orion and his wife by their mother's infirmity. Whether or not the large brick house diagonally across the intersection was then already in prospect is a matter of conjecture, but the property was later purchased,¹⁰³ and it was there, four years later, that Jane Clemens died.¹⁰⁴

¹⁰⁰ Paine's *Mark Twain's Letters*, Vol. II, pp. 470, 471.

¹⁰¹ Information from a personal letter from Mrs. Margaret McElroy Collisson of Keokuk, dated April 2, 1928.

¹⁰² Personal letter from Mrs. Margaret McElroy Collisson of Keokuk, dated April 2, 1928.

¹⁰³ The deed was dated January 7, 1889.—Page 98, No. 54 Deed Record from 1888-1890. In the property transfer Twain's name does not appear, though it is practically certain that he furnished all or a major portion of the money.

¹⁰⁴ At the death of Mrs. Orion Clemens, a tiny music box formerly belonging to Jane Clemens, came among other effects into the possession of Mrs. John Carpenter of Keokuk. Mrs. Carpenter reports that Sam Clemens had sent the box to his mother following the 1886 visit. It is about four inches wide, six

On Tuesday evening, July 6th, between the hours of eight and ten a reception was tendered Clemens and his wife at Orion's. Over four hundred invitations had been sent out and a large number took advantage of the occasion and were present.¹⁰⁵ The residence and the grounds were decorated with Chinese lanterns,¹⁰⁶ and many of the guests who found no room inside moved about on the lawn. In the front parlor Grandma Clemens, Orion, and his sister, Pamela, Mrs. P. A. Moffett of San Francisco, received guests, while Mark, in spotless white duck, his wife, and Mrs. Orion Clemens received in the library. It was a proud moment for Grandma Clemens. For the first time in fifteen years she had all of her children and most of her grand children with her. Only Mrs. Charles L. Webster and Pamela's son, Samuel E. Moffett, then one of the editors of the *San Francisco Post*, were absent.¹⁰⁷

While Clemens was entertaining his guests indoors, Ed. Brownell, Clemens's old friend of Keokuk days, sat out on the lawn, surrounded by a number of guests, and told what he knew of Twain's early life and of his extraordinary rise to fame. A reporter of the *Constitution* who listened as Brownell talked tells how the story impressed the group. "As we sat last evening at the home of Mr. Clemens's hospitable brother, and listened to the incidents of a career, seemingly having no counterpart except in imagination, it needed occasional glimpses of the man himself through the throng there to do him honor to believe it was not some

inches long, and less than two inches high. When wound up it still plays three old fashioned melodies with such a quaint tinkling sound that it is little wonder Jane Clemens took such great delight in it. The box is still in the possession of Mrs. John Carpenter.—Information given by Mrs. John Carpenter of Keokuk.

¹⁰⁵ *The Keokuk Constitution*, July 10, 1886.

¹⁰⁶ *Keokuk Gate City*, July 7, 1886.

¹⁰⁷ *The Keokuk Constitution*, July 10, 1886.

fairy web well-spun lightsome and airy by the fluent and always entertaining Brownell. The story was a long one — from the days when the two were young men together here in Keokuk, through the continent, on the placid Pacific, across the Atlantic, early state making, marriage, journalism, lecturing, hardships, business successes, literary triumphs, and the world's acclaim — till the crowd thinned and Twain came out in the garden, where we were, and made the story real by his presence and an hour's delightful companionship."¹⁰⁸

Neither the little circle of friends who sat with Twain that night, nor Ed. Brownell, and least of all Clemens himself could know that even then Twain was entering a period of financial hazard on the type setting machine which a few years later was to send his entire financial structure crashing down about him. But that is another story.

The day following the reception was the day set for leave taking. With characteristic care for the comfort of his family, and perhaps with an irrepressible love of display, Clemens had ordered a special pullman for the trip. At 4:40 the family boarded the C. B. & Q. and departed for Elmira, New York, their summer home.¹⁰⁹

AN INVITATION TO VISIT KEOKUK — 1887

It was four years before Iowa saw Mark Twain again, although an attempt was made to get him to visit Keokuk the following winter. The occasion for the proposed visit was the first annual ball which the Keokuk Printers' Union was planning to celebrate at Ayres Hall on February 10, 1887. In connection with the ball was to be a type-setting contest in which a team representing Keokuk was to compete with a team representing Burlington.

¹⁰⁸ *The Keokuk Constitution*, July 7, 1886.

¹⁰⁹ *The Keokuk Constitution*, July 7, 1886.

A number of nationally prominent men who had been printers at one time in their lives were invited to participate. Among these were Eugene Field, Bob Burdette, and Mark Twain.¹¹⁰ William F. Douglas, then secretary of the Union, in writing to Twain, related the tradition existent in Keokuk that Twain had assisted at a much earlier printers' celebration on the occasion of Benjamin Franklin's birthday.¹¹¹ In reply to Douglas's invitation Twain sent the following letter of regret:

Hartford, Jan. 24, 1887,—My dear Sir: It was 1855, if I remember rightly, and the occasion was not a typesetting contest. It was a struggle over a dinner table. The table did not win.

I thank the Union very much for the compliment of their invitation, and I should like to help at the present competition, but it wouldn't be any use. I couldn't get the prize, unless 600 leaded bourgeois might fetch it.

Truly yours,

S. L. Clemens.¹¹²

The letter was printed in a small four-page leaflet called the Proof Sheet which was circulated at the ball as an "extra".¹¹³ The following morning the letter was reprinted in the *Gate City* among the letters of regret.

THE LAST VISIT IN IOWA

When Clemens visited Keokuk in 1886 he knew very well that his mother was rapidly nearing the end of her life. Her memory was playing her sad tricks and her health was steadily giving way. Her care was a great problem. Mrs.

¹¹⁰ Information from a personal letter from C. C. Baldock, dated February 2, 1928. Mr. Baldock states that the minutes of the Keokuk Printers' Union prior to 1894 are lost.

¹¹¹ Information from a personal letter from William F. Douglas, dated February 5, 1928.

¹¹² *Keokuk Gate City*, February 11, 1887.

¹¹³ Information from a personal letter from C. C. Baldock, dated February 2, 1928.

Margaret McElroy Collisson, a close neighbor of the Clemens family, reports that matters were complicated by a strong desire on the part of Grandma Clemens to run away. "She was like a child. She had a great desire to run away and was always hunting her little chickens. All the children of the neighborhood started out as soon as the word came that she was missing." Some of the older children, says Mrs. Collisson, were so concerned about it that they held a council and decided to help even more, so they formed a club and got up mornings as early as Grandma Clemens and invited her to go walking, escorting her sometimes as far as Rand Park. But when the club failed to cure her in this manner, it died out.¹¹⁴

During the summer of 1890 the aged woman's health broke down completely. In August, when an especially severe attack struck her, Twain was called for by telegram. He came immediately. His arrival in Keokuk was not noted, and only the briefest notice of his presence in the city appeared in the paper for August 19th.¹¹⁵ Nothing is said of the illness of Mrs. Clemens. The following day, however, a brief announcement informs us that she had materially improved and that Twain had departed for his home. This trip, lasting perhaps not over twenty-four hours, was Mark Twain's last visit to Iowa.

The rally was very brief. In October Mrs. Clemens suffered a relapse and on the twenty-seventh of that month she died. Twain did not, however, come to Keokuk, for the burial was to be at Hannibal and it was there he met the funeral party.¹¹⁶ It was observed that Twain's hair was

¹¹⁴ Personal letter from Mrs. Margaret McElroy Collisson, dated April 21, 1928.

¹¹⁵ *Keokuk Gate City*, August 19, 1890.

¹¹⁶ The funeral party was made up of Mr. and Mrs. Orion Clemens, Mrs. Starkweather, Mr. and Mrs. A. H. Moody, and Mrs. W. A. Brownell.—*Keokuk Gate City*, November 2, 1890.

much grayer and that he appeared to be in poor health. When the time came for the party to return to Keokuk, Twain boarded the same train but went straight on through to Chicago.¹¹⁷ It was the last time he saw Orion alive.

DEATH OF ORION

When Orion died on December 11, 1897, Twain was living in Vienna. A cablegram was sent immediately and by four o'clock the same afternoon his reply came: "All send deepest sympathy." But that evening, in Vienna, he wrote the following letter to Molly Clemens:

Hotel Metrople

Vienna, Dec., 11/97.

Dear Molly:

It is 10 in the evening. We sent you our cablegram of sympathy half an hour ago and it is in your hands by this time, in the wintry mid-afternoon of the heaviest day you have known since we saw Jenny escape from this life thirty-three years ago, and were then too ignorant to rejoice at it.¹¹⁸

We all grieve for you; our sympathy goes out to you from experienced hearts, and for Orion, I rejoice. He has received life's best gift.

He was good — all good, and sound: there was nothing bad in him, nothing base, nor any unkindness. It was unjust that such a man against whom no offence could be charged, should have been sentenced to live 72 years. It was beautiful, the patience with which he bore it.

The bitterness of death — that is for the survivors, and bitter beyond all words, it is. We hunger for Susy, we suffer and pine for her; and if by asking I could bring her back, I could stoop to that treachery, so weak am I, and so selfish are we all. But she and Orion are at peace, and no loyal friend should wish to disturb them in their high fortune.

I and all of us offer to you what little we have — our love and our compassion.

Sam.

¹¹⁷ *Keokuk Gate City*, November 2, 1890.

¹¹⁸ Jennie Clemens, the only child of Mr. and Mrs. Orion Clemens, died on February 1, 1864, at Carson City, Nevada.—*Molly's Note Book*.

The letter quoted above was the only one that survived the general destruction of the voluminous correspondence which, after the death of Molly Clemens in 1904, came into the hands of Mr. John Carpenter of Keokuk who was appointed administrator. One day, after he had made an inventory of most of Molly's effects, he found in a woodshed to the rear of the house an old trunk. He opened it and found it filled with letters from Sam Clemens and from other members of the family. Many of the letters from Sam were to his mother, and most of them carried a little note near the bottom "Burn this letter". Jane Clemens, however, had not heeded Sam's request but had laid them away in the trunk where they remained till Mr. Carpenter found them. Mr. Carpenter reports that he looked the letters over, noted Sam's postscript, and burned them all. He now feels that many might legitimately have been preserved, but explains that at the time he failed to realize the literary importance of the letters, and consequently destroyed them.

At Mark Twain's request all of Orion's papers — letters, manuscripts, etc.— were packed and sent to Fredonia, New York, to await his return from Europe. Included in the packet were probably Orion's biographical papers, a great number of literary odds and ends representing ten or fifteen years of spasmodic attempts in a variety of literary ventures, sermons, political tracts, and lectures.¹¹⁹ The fate of these papers is not known, but they are no longer available. The loss of these letters and the destruction of the hundreds of letters from Samuel L. Clemens to his family at Keokuk explains the lack of documentary evidence for those who are interested in the investigation of Twain's visits to the State of Iowa.

¹¹⁹ For a partial list of Orion's attempts at fame via literature see Twain's letter to William Dean Howells in Paine's *Mark Twain's Letters*, Vol. I, pp. 352-355.

CONCLUSION

We find, if we except the doubtful visit of 1861, that after Clemens left Keokuk in 1856, he returned to the State of Iowa seven times. It is interesting to note, however, that in only one instance — on the occasion of the family reunion in 1886 — was his return chiefly a matter of his own volition. In all other cases, even in that of 1867, his appearance was incidental to other purposes. Yet in view of the fact that his only brother Orion lived in Keokuk for twenty-five years and died there, and that after 1882 his mother also made her home there until her death in 1890, and that he kept up a lively correspondence with both of them, there can be little doubt that he regarded the little Mississippi River town in which he himself had lived in the fifties as his western home.

More important, however, than the family ties which served to relate Mark Twain to the State of Iowa were the experiences and the influences that came to him during his own residence at Muscatine and particularly at Keokuk. At Muscatine, as we have seen, though his sojourn was very short, he gravitated toward those men — Mahin, Burnett, and Denison — who would be most likely to influence him culturally just at the moment when the tendency was strong to drift back into the carefree, sloven, frontier-town existence from which he had recently escaped at Hannibal. There were, however, in a real sense, no beginnings made at Muscatine. It is at Keokuk that we find those. It was there that he made his first after-dinner speech, as a result of which he was induced to join a debating class to increase his facility as a speaker — certainly a beginning for one of America's greatest public entertainers. It was there, urged on by the hopelessness of prospects with Orion and by the stirrings of ambition resulting from his feeling for Annie Taylor, his sweetheart at Iowa Wesleyan College,

that he first conceived and planned the Snodgrass letters. These humorous travel sketches, despite their crudeness, definitely indicate the type of literary effort upon which Twain's fame so largely rests.

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THE LEWELLING FAMILY — PIONEERS

The pioneers of Iowa were possessed of unusual courage and self reliance. There was no place among them for the weak and timid. Among the pioneers who gathered their belongings into covered wagons and traveled for hundreds of miles into an unknown land was Henderson Lewelling and family who came from Indiana to Iowa in 1837, and in the southern part of the town of Salem in Henry County a large substantial two-story stone dwelling still stands as a monument to the energy and enterprise of this man.

Henderson Lewelling, a skilled nurseryman, was soon supplying southeastern Iowa with the choicest of trees and vines. After ten busy years in Iowa, he again assumed the rôle of an adventurous pioneer and moved to Oregon where in his zeal as a nurseryman he helped lay the foundations for the great fruit industry of the Pacific northwest.

The Lewelling family originated in Wales and early history speaks of the members of this family as noted and powerful lords of the kingdom. They were a sturdy, independent clan who successfully resisted the progress of the Roman legions at the time of the Roman invasion, and in later days fought against the tyranny of the English kings.

At just what date the Lewelling family emigrated to America is not known, but there are traditions of the family in America for several generations prior to any recorded history of their activities. When the record of the Lewellings begins in North Carolina they were not like the chivalrous and warlike clans of Wales. Although they possessed many of the characteristics of noblemen, like William Penn, they had been converted to the peaceful

ways of the Society of Friends or Quakers, and were living according to the tenets of that benevolent society.

The grandfather of Henderson Lewelling was said to have been a pious, God-fearing man, well versed in Biblical literature. He named his three sons Shadrach, Meshack, and Abednego. Meshack was the father of Henderson Lewelling, the Salem pioneer.

Meshack Lewelling was a practicing physician and a professional nurseryman; at the same time he also engaged in general farming. He rode on horseback to visit his patients and carried his remedies in his saddle bags as was the custom in those days. What the occupation of Meshack's ancestors was is not recorded, but it is believed that they were nurserymen for several generations. The Lewellings were located in Randolph County, North Carolina, which is in the southwestern part of the State. Many of the finest apples in the world are now being shipped to various markets from this locality, and doubtless the foundation stock of these orchards came from the Lewelling nurseries.

In 1825, Meshack Lewelling and a number of his neighbors, attracted by the glowing reports of the country in Indiana, disposed of their holdings in North Carolina and started on the long and dangerous trail over the mountains and through the Cumberland gap to the promised land of Indiana. Contrary to the general rule among the Quakers, Meshack Lewelling was a holder of slaves. When he sold the rest of his property in North Carolina, instead of selling his human chattels, he took them with him to Indiana and set them free. Another member of the family inherited two slave children in Louisiana. He went to that State, obtained possession of his human property, took them with him to Indiana, and gave them their liberty. These acts were consistent with the traditions and spirit of the Lewellings.

When Meshack Lewelling arrived in Indiana, he purchased land, started in the nursery business, and resumed the practice of medicine, which he followed to the end of his career.

Henderson Lewelling was sixteen years of age when he arrived in Indiana with his family. He assisted on his father's farm and in the nursery for several years. On December 30, 1830, at the age of 22, he married Miss Elizabeth Presnell, who came from North Carolina and was also a Quaker. He established a home of his own and in 1835 he and his brother John, who owned adjoining land, went into the nursery business together. Shortly after this the brothers heard glowing accounts of the Black Hawk Purchase in Iowa. Ever alert for something better, Henderson Lewelling determined to move to Iowa. This change was made in 1837 and he and his brother John secured land near the new town of Salem and opened up a nursery there.

John continued the business in Indiana, while Henderson operated the Salem enterprise. The joint enterprise thus continued until 1841 when John disposed of their interests in Indiana and joined his brother at Salem. Here the business prospered. The country was rapidly being settled by the home building Quakers, and other citizens of like character who planted large orchards of apples, pears, peaches, plums, cherries, and fruit shrubs. Almost every homestead in the southern part of Henry County and the northern part of Lee County was bountifully supplied with fruit trees from the Lewelling nurseries.

The Lewellings were conscientious men, who took pride in their business, and during the ten years that Henderson Lewelling operated a nursery in Salem, he made fourteen trips to Indiana and the nurseries of the East to secure the finest fruit trees and plants then known to the science of horticulture.

As the result of the work of the Lewellings, almost every homestead within a radius of many miles of Salem had in a few years an orchard filled with the choicest varieties of apples and other fruits. So abundant was the apple crop of this section, that the local market could not absorb the yield. Fortunately other markets were not too far away to be reached by ordinary wagon traffic. The hauling of apples became a regular business for teamsters from August to the freezing weather of winter. As soon as the summer apples began to ripen, the roads would be lined with covered wagons hauling the fruit to Ottumwa, Oskaloosa, Newton, Marshalltown, Cedar Rapids, and intermediate points. Thus the fruit grower had a good market for his product, and the teamster an opportunity to engage in a profitable business.

After the coming of Henderson and John Lewelling to Iowa, other members of the family followed. An older brother, William, settled in Salem and engaged in teaching. He was a preacher among the Quakers and a public speaker of great merit. A nephew, Jehu Lewelling, and a niece, Jane Lewelling Votaw, also came to Salem. Jehu was a Baptist minister, and Jane Votaw was a preacher for the Quakers.

The Lewellings became opponents of the institution of slavery, as were many members of the Society of Friends. The controlling body of the church was too indifferent to the demands of the anti-slavery element, and a separation in the church took place, caused by the difference of views on the attitude which the church should adopt on the slavery question. The new branch of the church was called the Anti-slavery Friends. The Lewellings were prominent leaders of this group. A branch of the new church was established in Salem, and Henderson Lewelling sat as head of the meeting.

William Lewelling, the older brother, was also a powerful advocate of the abolition of slavery. While in Indiana, engaged in lecturing on his constant theme, he was taken ill. He arose from a sick bed to fill an engagement. It is alleged that he addressed the audience with great power and energy, after which he immediately took to his bed from which he never arose.

William Lewelling left a family of small children who were reared by the widow and relatives. The youngest son, Lorenzo Dow Lewelling, became one of the most illustrious members of the family. After a severe struggle for an education, and a short career in the army, he became a teacher in Whittier College at Salem. He was a reader of great ability. His powers of elocution and impersonation were unusual, and he was in great demand at all literary entertainments. His friends believed that if he had gone upon the stage he would have become a great actor; but having been reared in the Society of Friends, a career upon the stage was unthinkable.

The writer was a friend of Lorenzo Lewelling, and assisted him in many of his endeavors. Like most men of distinction, he met with many amusing incidents in his career. On one occasion we were giving an entertainment at a country church in the vicinity of Salem. The audience was large and appreciative. Lewelling was reciting a pathetic poem entitled "The Wounded Soldier" in which the attitude of the wounded during the battle was vividly portrayed. He was rendering this with wonderful skill and had produced a profound impression on the audience. When he reached the stanza which reads, "Raise me up, comrades, we have conquered I know, up, up, on my feet with my face to the foe", Lewelling unwittingly transposed a sentence, and rendered it thus, "Raise me up, comrades, we have conquered I know, up — up on my face with feet

to the foe''. No one saw the error quicker than he, but it was too late. The ridiculous attitude of the wounded was too much for the audience, and all the pathetic effect of the speaker was lost in a gale of laughter.

Later he was appointed superintendent of the girls' department of the State reform school. He held this position for several years, and then moved to Wichita, Kansas. During the Populist uprising in 1892, he was elected Governor of the State, and served in this capacity with great distinction. L. D. Lewelling would doubtless have had a brilliant career, but in the height of his triumphs, he died.

During the time that Henderson Lewelling engaged in the nursery business at Salem, he prospered, and acquired an adequate competence. He built the stone dwelling, already mentioned, and was a leading and influential citizen of the community. But this was not enough. He had read with deep interest accounts of the travels of Lewis and Clark in the Oregon country and of the later expeditions of John C. Frémont, and emigrants' reports of the wonders of the Willamette Valley. As early as 1845 he determined to go to Oregon. He began to dispose of his property with the thought of starting the following year, but not being able to close out his business until the season was too far advanced, the starting was postponed until the following spring.

The writer's father, Joel C. Garretson, was a warm personal friend of Henderson Lewelling. They had worked together in the anti-slavery cause, and both had suffered the abuse heaped upon the abolitionists of that period. When Garretson learned of Lewelling's intention of going on the Oregon trip, he went to him and told him, in the way of mild reproach, that he thought that a man who had prospered as he had, and surrounded himself with so many of the comforts and luxuries of life, should be content to re-

main in his present situation. Lewelling replied in that plain deliberate fashion, peculiar to the Quaker, "Well, Joel, it makes no difference how much a man has around him if he is not satisfied he will go off and leave it." His face was set toward the West, and no argument or persuasion would avail. The time of starting was delayed by circumstances, but his mind was firmly fixed. It was during this period of delay that Lewelling conceived the idea of carrying living grafted fruit trees to the Willamette Valley, and the Pacific coast. The following account of the preparation for this enterprise has been related by his son, Alfred Lewelling.

"When the next spring came, he (Henderson Lewelling) had secured the coöperation of a neighbor John Fisher for the prosecution of his plans to take the fruit trees. They had procured a stout wagon and made two boxes twelve inches deep and of sufficient length and breadth, that set in the wagon box side by side they filled it full. These boxes were filled with a compost consisting principally of charcoal and earth, into which about 700 trees and shrubs, embracing most, if not all of the best varieties in cultivation in that section of the country were planted. The trees were from twenty inches to four feet high and protected from stock by light strips of hickory bolted to posts set in staples on the wagon box. Three yoke of good cattle drew that wagon, and all other arrangements being completed we started on the 17th day of April, and traveled about fifteen miles a day through the southwestern part of Iowa and northwestern Missouri, reaching the Missouri river ten miles above St. Joseph on the 17th day of May. Our train thus far consisted of three wagons for our family and goods, one for Mr. Fisher's family, two for the Nathan Hocket family, and the nursery making seven wagons in all."

Soon after crossing the Missouri River, the Salem expedition joined a train commanded by a Captain Whitecomb, and traveled with it for several days, but this organization soon dissolved, and the Lewellings joined Captain John Bonser's part of the train, and traveled with it to the Platte River, where Mr. Fisher died. His death was a severe blow to the enterprise as Mr. Fisher had agreed to assist in caring for the nursery. Mr. Lewelling now had charge of the nursery wagon, and decided to carry it through in his own way and time, as he had already been criticised by some of his friends for attempting to haul that heavy load across the plains and over the Rocky Mountains. The trees had to be watered every day if possible, and thus the maximum weight of the load remained the same throughout the entire journey.

To all who sought to persuade him to abandon his "traveling nursery" Lewelling invariably replied that as long as it did not endanger the health and life of his family he would stick to his fruit trees. The following note from Alfred Lewelling will illustrate the firm and determined character of the man who was promoting this enterprise: "The last time I recollect any one trying to discourage him about the nursery wagon was on North Platte. The Rev. Mr. White suggested that it would be better for him to leave it as the cattle were becoming weary and foot sore, and that the continued weight of that load would kill all of his cattle and prevent him from getting through. Father's answer was such an emphatic 'No' that he was allowed to follow his own course after that without much remonstrance".

After this Lewelling decided it was best for the Salem group to travel alone or nearly so rather than in large companies. Subsequent events proved the wisdom of this decision.

The story of the trip across the mountains has been related by his son as follows: "Instead of standing guard at night, we put bells on the cattle and watched them evenings until they had fed and would lie down, and father would invariably hear the first tinkle of the bell in the morning.

"I have no doubt that father devoted himself to the enterprise with as much watchfulness as any man that crossed the plains that year.

"After losing two oxen on the Sweetwater River, one by poison and the other by inflammation caused by sore feet, we traveled pretty much alone; and our cattle began to improve, as two of the loads, being largely provisions and feed, were becoming perceptibly lighter.

"After passing over the great back bone of the continent at Pacific Springs, we crossed the desert to Green River, thence via Hams Fork to Bear River, passing Soda Springs and crossing the lava beds or volcanic district, we passed Hot Springs and over the Portneuf Mountains to Fort Hall. Then down through the sandy sage brush plains, crossing the Snake River twice, and through the Malheur and Powder River valleys, then through the Grande Ronde valley and over the Blue Mountains to the Umatilla River.

"Here we met Dr. Marcus Whitman who piloted us over by way of Birch and Butter Creeks and Well Springs to Rock Creek.

"There we changed the fruit trees to a lighter and better running wagon, by removing the two small boxes, and left the heavy wagon, doubling the teams in such a way that enabled us to get along quite comfortably, and thus to continue our journey, reaching the Dalles about the first of October. I do not remember the exact date.

"There father joined with others and constructed two boats to bring the wagons and other goods, as well as their several families, down to the Willamette Valley.

"The boats were completed, loaded and started down the Columbia River, about the first of November. They went down as far as Wind River, where they were unloaded and used to ferry our cattle and horses across to the north side of the Columbia River, then reloaded and taken to the Upper Cascades, again the boats were unloaded and the wagons set up and hauled to the Lower Cascades. The boats having been turned adrift at the Upper Cascades went bumping and tossing down the scathing current and were captured below. (As the Salem expedition carried no row boats, it has been suggested by later writers that Indians with their canoes were employed to capture the heavy barges.)

"At the Lower Cascades the boats were reloaded and worked down the Columbia River to a point opposite Fort Vancouver, reaching there the 17th day of November, just seven months from the day of starting. Those of us who drove the cattle down the trail did not get there until the 20th of November.

"The fruit trees were taken out of the boxes when the boats were ready to start from the Dalles, and carefully wrapped in cloth to protect them in the various handlings, and from the frosty nights."

Lewelling had now reached the goal of his expedition. He had arrived in the long cherished Willamette Valley with his cargo of precious trees. The story of his journey shows with what matchless energy he persevered in his enterprise, and what infinite care he bestowed upon his trees.

He next had to find a home for his family and a permanent lodgment for his traveling nursery. He spent several days exploring the country and on the 10th of December moved his family into a cabin opposite Portland, now East Portland. From here he made another survey of the valley,

and finally purchased a tract of land where some clearing had been done adjoining the town site at Milwaukee.

On February 5th, he moved his family to this place and began the making of a permanent home. The land was densely covered with heavy fir trees, but by a vigorous application of the ax and torch, a clearing was soon made sufficiently large to plant the orchard and nursery.

Lewelling's ambition was now fully realized. He had brought his cargo of living trees across the plains and over the Rocky Mountains to the Willamette Valley, the first cultivated, or grafted fruit to reach the Pacific Northwest.

About half the trees he loaded at Salem, Iowa, survived the arduous transportation, and were now securely planted in the soil of Oregon. Lewelling's fame and fortune were assured. Emigrants were rapidly pouring into the Willamette Valley and around the Puget Sound, and the demand for fruit trees was unlimited. He was in a position to supply this demand with the choicest fruit trees America could furnish. He had taken the pains to transfer to Oregon the same variety of apples that had proven so popular in Iowa. There can be but little doubt that the superior quality of the apples supplied by his nurseries established the reputation of the Oregon fruits, and helped lay the foundation of the great apple industry of Oregon and Washington.

A few years ago, when the writer was touring Oregon, he was shown the locality of the original Lewelling nursery, and he found growing in that vicinity the same varieties of apples he had known when a child in his father's orchard near Salem, Iowa.

Prior to his emigration to Oregon, Henderson Lewelling had watched with great interest the controversy between the United States and Great Britain over the Oregon question. It will be remembered that the boundary line between

the British possessions and this country was in dispute for many years. It was greatly feared that the controversy might result in war. The Hudson Bay Company, which was a British organization, had established forts and trapping and trading stations throughout the country, and Britain claimed possession on that ground. The claim of the United States was founded in part upon the discovery of the Columbia River by Robert Gray, an American navigator, who had sailed up the stream for many miles and had taken possession of the country in the name of the United States. A very strong element in the United States claimed that 54 degrees 40 minutes was the rightful northern boundary and raised the uncompromising slogan, "Fifty-Four Forty or Fight".

Lewelling, who like his friend, Dr. Marcus Whitman, the missionary, knew the value of the region, was a strong advocate of securing as much of the Oregon country as was possible to obtain by fair and honorable means. He was not, however, one of those who raised the cry "Fifty-Four Forty or Fight". His Quaker training led him to believe there was a better way. He was greatly pleased when the final settlement secured to our country the Puget Sound, for he believed that these waters would some day be a powerful factor in the commerce of the world.

Soon after he established himself in Oregon, Lewelling formed a partnership with William Meek, a man from Bonaparte, Iowa, who had crossed the plains the same year, but not in the same train. This firm not only engaged extensively in the nursery business, but organized the Milwaukee Milling Company, and operated several saw and grist mills. At the same time they carried on several other enterprises.

When Lewelling and Meek were selling trees in all parts of Oregon and Washington, John Lewelling left Salem,

Iowa, in 1850, and located in California, buying property at San Lorenzo, Alameda County. Here he started in the nursery business, obtaining his foundation stock from the Henderson Lewelling nursery, at Milwaukee, Oregon. The enterprise was successful. He reared his family here, and his descendants are occupying prominent positions throughout the State to-day.

In 1853, Henderson Lewelling sold all of his interests in Oregon to his partner William Meek, and he and his son Alfred moved to California, purchased land in Alameda County, and engaged in the fruit and nursery business. Alfred named the locality Fruitvale. Soon a large population gathered in that locality, and Fruitvale became a beautiful little city adjoining Oakland.

Henderson and Alfred Lewelling sent out from this place not only thousands, but hundreds of thousands of fruit trees all over California. Again Henderson Lewelling was in no small measure responsible for the beginning of the great fruit industry of another Pacific Coast State — an industry which has brought more wealth to California than all the gold the State has produced. Henderson Lewelling built a fine residence in Fruitvale which in later years was occupied by a Governor of the State.

After these achievements, and having acquired for himself both wealth and an enviable reputation, he seemed to have reached the limitations of his work on the Pacific Coast. But he could not be content to stand still, and look back upon past achievements. He must still press forward, and be a leader among men.

About 1858, he conceived the idea of founding a colony in Central America. He had crossed the Isthmus of Panama in 1851 in his travels back and forth to the eastern States. He was much impressed by the mild climate, the cheap land, and the luxuriant growth of vegetation in that semi-tropical

climate. He enlisted several others in the project, and in 1859 sold his valuable property in Fruitvale, purchased a ship and all necessary supplies, and he and his two younger sons together with his partners and their families, embarked for Honduras.

Prior to this, Lewelling had been successful in his every undertaking, but in this project he met defeat. The enterprise was a disastrous failure. He was the principal capitalist in the scheme and he lost heavily. Returning to California, he engaged in the fruit business again; but by this time he had lost his former vigor, and he never regained his former financial standing. A part of the Lewelling estate in Fruitvale was sold to a man by the name of Diamond. This tract was later donated to the city, and is now known as Diamond Park.

On February 23, 1924, a memorial meeting, sponsored by the Women's Clubs of California, was held in Diamond Park in commemoration of the great work of Luther Burbank, the plant wizard then living, and Henderson Lewelling, the nurseryman long since passed away. Appropriate speeches were made to the assembled throng, and a Sequoia or Redwood tree was planted for each of the two men and suitable tablets erected to commemorate their unselfish work.

Prominent among the pictures hanging on the walls of the rooms of the State Historical Society of Oregon will be found the portraits of Henderson, Seth, and Alfred Lewelling, all pioneers of Iowa, who moved on to wider fields of usefulness in the undeveloped West.

Other members of the family in later years followed the pioneers to the western coast. Asa Lewelling, a nephew of Henderson and a brother of L. D. Lewelling, the Governor of Kansas, was superintendent for a number of years of the boys' department of the Oregon State Reformatory.

Jonathan and Jane Lewelling Votaw moved to Washington. A son, Henry L. Votaw, became postmaster of Tacoma. Another son, Moses, entered the banking business, and became a prominent citizen of the State.

How many of the original trees carried by Henderson Lewelling from Salem over the plains and mountains to Oregon still survive is difficult to ascertain. There is one tree, however, whose history has been accurately recorded and is worthy of mention here. In 1845, Lewelling planted a cherry pit which sprouted and grew. In 1846, he grafted this seedling with a Black Tartarion Scion. In 1847, he carried this tree on his seven months journey to the Willamette Valley. In the spring of 1848 this tree was planted in the soil of Oregon at Milwaukee. In 1849 the tree was sold to David Chamberlain for five dollars. Mr. Chamberlain carried the tree by canoe, down the Willamette River to the Columbia River, then down the Columbia to the mouth of the Cowlitz, thence to Cowlitz landing where Toledo now stands, thence by horseback, seventy miles to Chambers Prairie, four miles from Olympia, Washington. Here the tree was planted and it is still bearing fruit. It is an immense tree now, and three feet from the ground it measures nine feet in circumference. Its limbs have a spread of sixty feet.

George R. Haines, Curator of the Oregon State Historical Society, in speaking of this tree said: "I stood under its branches in 1853. In 1854 I ate cherries from the tree, and for many years thereafter. In 1895 it bore a crop of forty bushels of cherries. In 1920, the crop was 1200 pounds."

Moses Votaw, a great nephew of Henderson Lewelling, visited this tree in July, 1928. It was after the cherry season, but he found many dried cherries still hanging to the branches, and many dried cherries on the ground. One of

the lower limbs had been removed by the saw. A measurement across the saw kerf showed that the limb had a diameter of sixteen inches.

That this little cherry sprout, originating at Salem, should withstand the risks of transportation across the continent and the hazards of frequent transplanting, and still live, a towering monument to commemorate the energy and enterprise of a Salem pioneer, is to the writer a fact stranger than fiction.

O. A. GARRETSON

SALEM IOWA

IOWA OF THE EARLY SEVENTIES AS SEEN BY A SWEDISH TRAVELER

[The following selections from the book written by the Swedish traveler, Hugo Nisbeth, in 1874, have been translated by Roy W. Swanson of the University of Minnesota, who has also written the brief introduction and most of the footnotes.—THE EDITOR.]

Hugo Nisbeth, Swedish gentleman, journalist, and globe-trotter, visited Iowa on his tour through the western States in the early seventies and devoted a few chapters to that State in his travel account published in Stockholm, Sweden, in 1874, and entitled *Två År i Amerika, (1872-1874); Reseskildringar*, or, in translation, *Two Years in America, (1872-1874); Accounts of Travel*. As the author repeatedly tells us in his text, one of his purposes in visiting Iowa and the other western States was to hunt out and make observations on the communities of Swedish settlers in both town and country in America. Although all parts of the Union were included in his journey, Nisbeth recorded only his western impressions because, as he writes in his introduction, "it was my intention chiefly to visit those regions of the country little known to the Swedish reader." In such a plan, of course, he could not very well omit Iowa, which was a western State and contained many Swedes.

In the following pages an English translation is presented of Nisbeth's narrative of his travels in Iowa, drawn from scattered chapters in his book, beginning with chapter seven.

After visiting for two months among the Swedes of Minnesota in the country as well as in the cities and admiring their simple customs and straightforward manners, their morals creditable to the Swedish name, as well as that

unmistakable Swedish tone which seems to run through their private and public life; after visiting in this "land of ten thousand lakes" beautified by a nature so purely Swedish in some portions that one imagines oneself at home again in the fatherland; after meeting people everywhere to whom the mere fact of being a newly arrived countryman was a sufficient excuse for the most overwhelming kindness; in short, after all this it was not without a feeling of sorrow and regret that I took my seat in the train coach to set out for yet other western states and there to make further observations of the pioneer life among the Swedish settlers.

So, at least, it seemed to me on that day in early August when I left Minnesota's friendly capital city of St. Paul on the Chicago and Burlington. Now I was bound for Iowa and Nebraska, two states where a not insignificant Swedish population is already to be found and where the immigration of our countrymen is in progress at the present time.¹

Chicago, when I passed through it, was anything but a prepossessing city — if not, possibly, for the student of the very latest styles of architecture! That is, the confusion and ruin that was brought about by the great fire of 1871 still prevailed. I tarried there only a few hours, long enough to permit me to have breakfast and tend to the transportation of my baggage from one railroad station to the other.

I arrived in Burlington, the principal city of Iowa, in the afternoon of the second day after my departure from St. Paul. Like St. Paul this city lies on the banks of the mighty Mississippi that here presents itself in water equally as yellow, but also in a natural scenery equally as rich in beauty and enchantment as up in Minnesota. Iowa went through many hands before it finally on December 28, 1846,

¹ According to the 1870 census, Iowa had within her borders at that time 10,796 Swedes. The number of Swedes in Minnesota was 20,987, nearly twice as great.

was admitted into the Union. It has belonged in turn to Spain, France, and England.² Iowa is an Indian name supposed to mean "the beautiful land". Tradition says that once when an Indian tribe, the first to pass through Iowa, came to "the Father of Waters" that forms the eastern boundary of the state, the chief of the tribe, struck with the natural beauty that met him, cried, "Iowa" (the beautiful land). In English the name is pronounced "Ejowa".³

In 1840 the state had a population of 43,114; in 1850, 101,982; in 1860, 674,913; and at this time is said to have over 1,100,000. Of this number about 10,000 are Swedes. No doubt some Norwegians and Danes are included in this census. Burlington lies on the left bank of the Mississippi, sloping toward the river, and can be considered a very pretty town, although as far as some of the streets are concerned there remains much to be desired. In this respect, however, it is like most of the young American towns. It is thirty-nine years old and has about 20,000 inhabitants, of which some five or six hundred are Swedes, the most of these being artisans and laborers, and all of them—at least those whom I met—appeared to be in good circumstances. In Burlington I had the pleasure of being introduced to two American gentlemen, Messrs. Harris and Touzalin, both heads of their departments in the great railroad company, the Burlington & Mississippi River Railroad. This vast undertaking connects, via Burlington, Chicago with Fort Kearney—a point in Nebraska on the Union Pacific Railroad—by which the distance from Chicago to San Francisco is somewhat shortened. The Burlington-Mississippi railroad is considered by those who

² The Iowa country was claimed by England but was never actually under that country.

³ Swedish phonetics.

know to be one of the best railroads in America as far as good construction is concerned — something which is not so common — and its coaches are equipped with a comfort and elegance not offered by any of the best European railroads. Since Swedes are more scarce here I doubtless would have had considerable difficulties to overcome in my travels in these states had not the generous courtesy that always distinguishes the higher class American furnished me with a pleasant and instructive traveling companion for a period of fourteen days along the entire line. This was Professor I. D. Butler, an elderly gentleman who occupied the chair of professor of dead languages in the University of Madison.⁴ The delightful days I spent in the company of this well-bred and widely traveled man I shall not soon forget. True we sometimes suffered considerably during our tours in the Far West and our stopping places were not always of the most convenient kind, but we were both blessed with a singularly good humor and had in addition so many interesting observations to make that the small discomforts served to divert rather than to annoy us. We left Burlington at seven o'clock one evening and after spending a night in one of Pullman's very ingeniously arranged sleeping cars we arrived at Stanton the next morning. A considerable number of Swedes live near this station, something over three hundred and fifty families, who constitute, moreover, the parish of a Swedish pastor, Mr. Halland.⁵ I did not have the pleasure of making his personal acquaintance, for at the time he was away preaching in a nearby Swedish settlement. He had, by the way, to minister to the souls of three such places. I met instead a so-called "Pax-

⁴ The catalogs of the University of Wisconsin for these years do not list this name among the faculty.

⁵ This was Rev. B. M. Halland, founder of the "Halland settlement", as this place was called.—Emil Lund's *Iowa-Konferensens af Augustana-Synodens Historia* (Rock Island, Ill., 1916), p. 119ff.

ton student”⁶ who showed us the neat little church that served as a schoolhouse between divine services. The “student” who took care of the school teaching under the pastor’s supervision stated that the Swedes, who were to be found in considerable numbers for a distance of ten and fifteen miles around, were on the average in good circumstances and that although those who arrived most recently had their hardships, true enough, to overcome, in general after two or three years of work and sacrifice they too were comfortable and independent.

I questioned him as to the subjects in which the children were given instruction and discovered them to be the usual ones, namely, the catechism and the Bible, sparingly garnished with a little history, geography, and arithmetic.

“But what of the English language, then?” I burst out astonished.

“No instruction is given in English.”

“But, my God”, I exclaimed, “how is it possible that instruction can be considered adequate which does not give the child the slightest knowledge of the language that is so necessary to it if it is to succeed in its new fatherland? It is indeed cruel that just when the child can learn most readily it should be denied this important branch of study.”

“Ah, well, Swedish is spoken everywhere hereabouts and they get along with that alone. Anyway, they will pick up English little by little.”

Such, approximately, was the answer I received. I translated our conversation for Professor Butler, who became no less astonished than I. This was the first expression that I had experienced of the deplorable influence of the graduates of the Paxton Seminary in these states. One scarcely expects better results, however, when one reflects that the

⁶ The author here refers to the products of the Augustana College and Theological Seminary located at this period in Paxton, Illinois.

Seminary students are for the most part composed of young farmhands who, having not the slightest preparatory education, in three years are stuffed with a lot of indigestible matter with the help of which they are afterward expected to go out and enlighten the world. Nor can one imagine anything more disgusting than having to listen to the illogical hodge-podge they give out from the pulpit.

Small, neat-looking houses were built around the little church as well as in the vicinity of the station. All of them were occupied by Swedes, two of whom owned well-stocked stores while the rest were employed as permanent railroad laborers, that is to say, those whose duty it was to see to it that the roadbed was always kept in good shape. [A "section gang"] They possessed a bit of ground and garden with their houses and earned besides from thirty to fifty dollars a month, the last wage being that of the foreman. They lived happily and contentedly, they assured me, and could put by something every month. Many of them calculated that after a certain number of years they would be able to return to Sweden with a small, saved-up capital. They praised unanimously the fertility of the soil. Fertilizing is not necessary for fifteen to eighteen years, and the production is in general from twenty to thirty-four bushels per acre. Wood is very scarce, but on the other hand there is plenty of coal at a cost of but fifteen cents a bushel. The water is good and the winters not any more severe but that the cattle can be outdoors the year round. Although these people live close by the church, none belong to it because as they said, they "did not like the way it was run." To my question if they realized that no instruction in English was given in the school, they answered "yes" and added, "It is this way — the ministers here are afraid to let the children learn English because if they know English when young they will soon go over to some English

congregation and that would diminish the pastor's income for he is paid according to the number of his congregation!"

After a four or five hour visit in Stanton we went to Red Oak, a small town of twenty-five hundred inhabitants thirty miles farther along the line. A pretty little brook with luxuriant foliage on either bank bounded the town on one side. All the way from Stanton to Red Oak the eye was met everywhere by the luxuriant waving fields of corn, sometimes reaching a height of eleven and twelve feet.

I set out from Red Oak by wagon on some trips to the Swedish settlers living in the vicinity. They had been in this state only two or three years, but were already in good circumstances. They were largely made up of persons who had previously tried their fortunes in Wisconsin and Illinois but were not satisfied there. A pretty schoolhouse had already been built and they were just in the process of collecting money for a church. Everyone praised the climate and the water, the latter especially was better, they said, than in Illinois where the well water was so hard that one could not wash in it nor could it be used for cooking. From three to four hundred Swedes were found in the town, a large number of them laborers and hired girls, and all of them receiving good wages. Moreover, the town's largest grocery store was owned by one Swede and its largest furniture factory by two others, besides which there were many Swedish clerks employed in the larger stores. The surrounding country is composed of "rolling prairie", and everywhere was seen waving fields of grain while pretty little groves frequently occurred.

The next day we left Red Oak and after a four or five hours ride were near Iowa's western border, formed largely by the mighty Missouri River. The railroad ended here and we had to cross to the other side of the river — where

the railroad is resumed — on one of those huge river boats three and four stories high that are found here in America. The waters of the Missouri are just as muddy, if not muddier, than those of the Mississippi, while the Platte River, which at this point empties into the Missouri, carried with it a water perfectly clean and clear. It was very strange to see when this flowed into the muddy, yellow waters of the main stream. It took quite a long time before any thorough mingling had taken place, and before this was completed it seemed almost as if one were sailing through whey that had been hastily stirred. The eye sought in vain for canoes filled with painted and feathered warriors or for smoke pillars rising up from wigwams. That day is long past! The smoke we saw rising came from pretty farmhouses scattered here and there, or from snorting locomotives that rushed along both banks of the river, and in place of the light, oblong canoes propelled by the paddles of tattooed redskins with scalps in their belts we saw instead ordinary, capacious wooden cargo boats filled with farm products and rowed by white men, and to crown it all, when we came to the farther side the eye was met by an entire town peopled with white men who went about their peaceful pursuits setting little or no store by the arts of war and only rarely indulging in the noble hunt, but all the more eagerly devoting themselves to the practical and profitable trades scorned by the banished Indian. But so it goes! The irresistible wave of civilization rolls farther and farther westward, sweeping aside all the poetry that is believed to exist in a wild and primitive life, and it will doubtless not be many years more before the last real Indian has found a refuge in those hunting-grounds where he will be troubled no more⁷

⁷ Here the visitor turns his attention to the Swedish settlements in Nebraska. In chapter ten the story comes back to Iowa.

As I mentioned above, I went directly from Omaha to Corning, Iowa, to visit the French communistic society in the neighborhood.⁸ At the station I was met by Mr. Frank, whom I mentioned in the previous chapter,⁹ and who, with the customary courtesy of the American, begged to be my host during the time I planned to remain there.

Corning is a pretty town of two thousand inhabitants, still quite young, surrounded by lovely groves and traversed by a small stream. It was the first town I came across in the West where no Swedes in anything near a considerable number were to be found. Here there was but one Swede — a woman — to represent our nationality and, as chance would have it, she was employed at the house of my host. What it was that influenced her to leave her position at home in Stockholm she did not know definitely herself, but that she was homesick I saw plainly and she explained to me that it was only her attachment to the family she was working for that caused her to remain, for her savings were already so large that if she went to Sweden she could consider herself in good circumstances there. Her employers on their side were equally as anxious to keep her and offered to pay her passage to Stockholm if she would stay one more year. Her wage was three dollars a week, which is the price commonly paid in the West for good hired girls. During the first part, at least, of their stay in America all Swedish women belong to this class, but after they have been here awhile and learned the language of the country they are not slow to seize upon all the inso-

⁸ There are several accounts of the Icarian Community. William Alfred Hind's *American Communities and Co-operative Colonies* (Chicago, 1908), contains a bibliography. Other references on this community are the following: Shaw's *Icaria*; Prudhommeaux's *Icarie et son Fondateur Etienne Cabet*; Nordhoff's *The Communistic Societies of the United States*; and Gallaher's *Icaria and the Icarians* in *The Palimpsest*, April, 1921.

⁹ "Geo. V. Frank who conducts a real estate and banking business in Corning".—Nisbeth's *Två Ar i Amerika*, p. 107.

lent ways that characterize the American working class woman. In California, on the other hand, hired girls receive twenty-five and thirty dollars in gold per month.

The following day I undertook a journey to the communistic colony situated four English miles from Corning. The road thither was unusually beautiful. Pretty little brooks, fringed with luxuriantly leaved trees, meandered here and there between the many hills. These hills were not so high and steep, however, but that they could readily be cultivated. The grain fields that were not yet harvested stood drooping under full heads. There were also plenty of trees to save the landscape from monotony. As one could see, these people who were dissatisfied with ordinary society had not illy chosen the setting for their social experiments. When I drew near and climbed a small hillock from which the little community's dwellings and gardens could be seen I felt overwhelmed with delight at the picture of friendliness and industry that met my eye. It would be wonderful, I thought, if these people really succeeded in solving the social problem and if peace and happiness could reign here undisturbed. I soon learned that peace with the outside world was not a distinctive nor a general characteristic. A dog that followed my carriage and by means of his friendly barking seemed to wish to say that he shared my first discovery had not gotten very far in his utterances of joy before a large-limbed, swarthy Frenchman came rushing out of one of the small houses and began to throw stones at the poor beast who, completely taken by surprise and terrified at such an unexpected reception, put his tail between his legs and broke away, leaving me alone to take care of myself the best way I could. After the Frenchman had in that manner dispatched the dog he greeted me with a cold, sharp look — that took away any desire I might have had to ask any questions of him — and so turned back into his house.

As one can see, the first reception was not exactly the pleasantest, but I in no wise allowed this to discourage me. Now that I am here, thought I, I am not going to let anything frighten me away from my purpose of finding out the formula for the new earthly paradise. Accordingly I drove bravely up to the façade of the largest house — or better, the only large house — and tied my horses to a spreading tree that shaded the balcony running along the side of the house that faced a sort of market square. I looked about me in the hope of finding some person I could talk to. I did not see a soul except some children who, at least as far as clothing was concerned, vividly recalled the state of innocence of the first paradise. It seemed almost as if the members of the little colony had already tired of happiness and had moved away. However, I ascended the stairs of the house before which I found myself in order to carry out my investigation. Upon entering a large room on the first floor I found there three or four women busy with the washing. I approached them politely, hat in hand, and asked them if they could give me some information as to where I could meet *monsieur le president*. They, too, regarded me with a scarce hospitable look and answered very shortly that they could not give me any information, but referred me to the “library building” where surely somebody could be found who could answer my question. It was about fifty paces away and looked anything but imposing, but thither I bent my steps. Through a low, narrow, wobbly door I entered a small room with no other roof than that which rested on the rafters and with no other floor than that which the hard tramped earth offered. Along the walls shelves were built containing a considerable number of books, among which I saw the works of Rousseau, Michelet, Dumas, and others, and in the center of the floor stood a round table covered with newspapers and periodicals,

among the former of which I noticed *La République Francais*. In a farther corner of the room was another table with writing materials and at this table sat two men to whom I addressed myself with the question whether they thought it was possible for me to have a talk with the president.

"Is it something special you wish to see him about?" answered one of them, a young man with a fine, intelligent face, politely offering me a chair. "In that case", he continued, "I am sorry the president is not at hand for the present. If it is, however, something which concerns the colony's business you can address yourself to me."

I explained to him that I was a stranger traveling to see the country, that only curiosity had brought me here, and that I would be grateful if the gentleman I had the honor of addressing would satisfy my curiosity by answering some of the questions I wished to ask.

"I shall take great pleasure", he replied, "but if your time permits you to wait the president will be here in a half hour or so, and he is without doubt the right man to give you the information you desire. Meanwhile, if you wish, I shall conduct you about the colony."

I thanked him, of course, and followed my cicerone, who first took me up to the large house. We entered the first floor which was composed of a large room. Rectangular tables with wooden benches on either side were placed end to end along the walls.

"This," he said, "is our general assembly house and in this room we take our meals."

"All the members of the colony?" I asked.

"Yes, all, with the exception of those who because of illness are obliged to have their food brought to their houses. And this", he continued as he led me up a spiral staircase to the upper floor, also a large room, "is our consultation

room, or where the common business of the colony is transacted. By the word 'common' ", he added smiling, "I wish to have it understood that no private business is transacted here, for among us is to be found but one interest."

It was a good-looking room, high in the ceiling, and reminding one very much of a plain country church. At one end of the room stood an oblong table with a large arm-chair at either end and along the sides three smaller chairs were placed. Several portraits, some of them in oils, some of them photographs, hung about the walls. There were no names under them, but I surmised that they represented persons who were working or had worked at the founding of communities such as this one in which I found myself. One face seemed familiar to me and I soon recalled clearly that I had seen it sometime in Stockholm. I turned, therefore, to my guide with a questioning glance.

"That is Monsieur Bakunin",¹⁰ said the Frenchman, adding, "but I fear he is pushing things too far. The others", he said, "are some of them portraits of former presidents, some of them of persons who supported the colony when it was first organized."

We went down again and he showed me the common kitchen, the common bakery, the common stables, and other common institutions — all appeared clean and practical.

"I suppose you are happy here?" I asked suddenly, turning to the young Frenchman.

"Happy?" said he in a tone that implied that he was not pleasantly moved by the question, "Of course, why shouldn't I be happy? I have everything I want here."

"And you never long to be back again in the world outside? Don't you ever feel any desire to take part in the moving, workaday world outside of the little community or to enjoy the pleasures that are to be had there?"

¹⁰ This was perhaps Mikhail Bakunin (1814-1876,) the Russian anarchist.

"We lead a useful life here, and as far as pleasures are concerned, we arrange them ourselves within our own circle. For instance, once a week we have amateur theatricals in our general assembly room."

"But you never have the satisfaction of knowing how the fruits of your labor grow in your own hands. In other words, you never have the satisfaction of knowing that labor is a means of gaining wealth and independence—for I presume that it is not permitted anyone here to make private savings?"

"No, you are right in that. None of the members of the colony has any right to a private income, but all that we earn by our labors goes to the common treasury. But it is, of course, a satisfaction to work for such a purpose."

"Consequently you can never give your wife anything that will make her happy nor give your children any encouraging gratuity."

"No, for as I told you, we never have any money. But you must not suppose, therefore, that our wives and children suffer want, for if my wife needs a new dress or any household article or the like she has only to turn to the directory who thereupon determine whether her requisition has any grounds and thus grant her request. Our children receive the rewards from the school committee that they deserve. I am convinced", he continued in a tone that seemed to show that my inquisitiveness had disconcerted him, "that many in the world outside can have reason to envy us our privileges. But look", he went on as if glad to break off the conversation, "there comes the president and it will be a pleasure for me to introduce you to him."

I thanked him and we repaired to the little house before which the president's vehicle stood. The presentation took place and the president, Mr. A. A. Marchand, received me with extreme politeness. He was a large, dignified man,

probably about forty-five years old. His long hair, slightly streaked with gray, fell down to his shoulders. He had a round face adorned with a pair of beautiful mustaches, and all together he gave the impression of prosperity and contentment.

"You come all the way from Sweden, my young friend?" he asked, pressing my hand firmly. "Perhaps you traveled here with the purpose of joining our little community", he added, laughing.

"Thus far, at least, I have not decided. Meanwhile I should appreciate very much the opportunity of learning a little more about the origin and organization of the colony."

"With great pleasure! Our laws are simple and natural. This constitutes the sole secret of why the colony, in spite of all malignant prophecies, still exists, and, it is supposed, will continue to do so. But I hope you will excuse me a second", he interrupted, "I have some business to attend to."

After a while he returned and when we had seated ourselves in a couple of comfortable chairs, he told the following story.

"This colony about which you inquire seems quite young to judge from the mean condition in which most of the houses are found" (this was undeniably true), "but such is not the case, for it is over twenty-four years of age. But many costly removals, that for various reasons we have been obliged to make, have weakened our resources. These losses we are now well on the road to repairing. Originally the colony consisted of sixty-nine Frenchmen dissatisfied with the political conditions in France during the years 1847 and 1848, who on the third day of February of the last named year sailed from Havre for Texas where they planned to settle. There these men organized an alliance which they called the Icarian Community, a name that

we have since retained. The colony moved from Texas to Illinois and thence to this place where we have been for about seven years and where we hope to remain. The act that first incorporated our community as independent in the state of Illinois and that was ratified by the government of that state at the wishes of the members, E. Cabet, J. Prudent, J. Witzig, P. I. Favard, A. Thibault, and A. Piquenard,¹¹ stipulated that the said community's capital should consist of a hundred thousand dollars with the right to increase it to five hundred thousand dollars divided into shares of one hundred dollars each. No member had the right to own more than one share. The act further safeguarded the colony with the protection of the laws of the federal government. In spite of the hardships we had to combat in the beginning everything went smoothly until 1850 when the existing president, Mr. E. Cabet, violated our laws and secured himself absolute power. So powerful was the party he gathered about him that he remained in power more than a year beyond the time set for the expiration of his term of office. After that he and his followers left the community".¹²

"And this little book of laws is sufficient?" I asked the president after I had completed my notes.

"Yes, entirely", he answered.

"But there must be a lot of by-laws rising under different circumstances and for different purposes."

¹¹ A. Piquenard became an architect and the designer of the capitol at Springfield, Illinois, and at Des Moines, Iowa. The act gives P. J. Favard.

¹² The remainder of this chapter is obviously taken from the literature of the Icarian Community and chapter eleven begins with transcriptions from the constitution of Icaria, which is omitted. A brief history of the community and a translation of its constitution may be found in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XV, pp. 214-286, taken from *The History of the Colony or Republic of Icaria in the United States of America*, by Etienne Cabet.

"Very few, and those that are to be found are only of slight importance in that they chiefly have to do with questions of form. The whole secret lies in that the council is permanent and the conscience of the juryman is the only law paragraph we appeal to when any misdemeanor is to be punished."

Afterward the president conducted me about the little colony and introduced me to some of the members. Handsome, dignified men most of them with long beards streaked with gray, and all dressed alike in blue cotton overalls. They were not very communicative and seemed to prefer solitude, for they were met here and there, one sitting on a stump and another on a stone at a distance from one another sufficient to permit them to be alone with their thoughts.

But did these men appear happy, these men who did not have to worry about paying the rent, providing food and clothing, educating their children, and security for old age? To this I can answer a definite *no*. There was something indifferent and absent in their manner and they seemed to me to be more like martyrs than human beings lapped in peace and happiness. No doubt they have already found out how impractical and impossible of carrying out their social theories are, and there is nothing that better reveals this than the fact that the colony after seventeen years, in spite of the strict laws of marriage, has not increased by more than one inhabitant, for it now has only seventy members. Furthermore the original founders who still remain have not the satisfaction of seeing the colony's own younger generation remain faithful, for after being sent out by the executive committee to carry on their studies in some American or European universities several of them have declared, after a few years visit outside the colony, that they do not care to leave the outside world. It was, there-

fore, curiosity and poverty for the most part that filled the thin ranks with men who when they left France were obsessed with the extravagant idea of "building a new world in place of the old".

It was as if a stone had been lifted from my heart when I at last got out of the bounds of the little community. And when I got back to Corning and saw the people there busy, contented, and interested in their work, I vowed that whatever happened I would never be a member of the Icarian Community!

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SOME PUBLICATIONS

The Hunting of the Buffalo. By E. Douglas Branch. New York: D. Appleton and Company. 1929. Pp. 240. Plates. The buffalo were not numerous in Iowa during the period of exploration and early settlement by the white people, but the story of the annihilation of the thirty million buffaloes which once roamed over the plains and prairies of North America is connected with much of the history of the Mississippi and Missouri valleys. The fur trade, the railroads, the pioneers, and the Indians were all affected by the presence of the buffalo and by their destruction. The story is tragic and dramatic and it is well told in the twelve chapters of this book. An index completes the volume.

Covered Wagon Days. By Arthur Jerome Dickson. Cleveland: The Arthur H. Clark Company. 1929. Pp. 287. Plates. Map. This volume is the story of the experiences of the author's father, Albert Jerome Dickson, during the sixties, including a journey across the plains in a covered wagon. The trip began at La Crosse, Wisconsin, and the company crossed southern Minnesota and north-western and western Iowa to Council Bluffs. Stories of pioneer travel, crimes, living conditions, and military activities, and descriptions of the country from La Crosse, Wisconsin, to the Rocky Mountains fill the fifteen chapters of the book. An excellent map portrays the various routes to the west and an index adds to the convenience of the work. The physical make-up of the volume is unusually attractive.

The Proceedings of the Academy of Political Science for June, 1929, contains a series of addresses on *Railroad Consolidation*.

In Pennsylvania-German Land, 1928-29, by Jesse Leonard Rosenberger, is an attractive little volume recently published by the University of Chicago Press.

Lincoln and Agriculture is the title of a short article, by Earle D. Ross, which has been reprinted from the April, 1929, number of *Agricultural History*.

Two articles found in *The New-York Historical Society Quarterly Bulletin* for July are: *Silver Wine Labels*, by Raphael A. Weed; and *The Jenny Lind Exhibition*.

Lobbying, both in the Federal and State capitals, is the subject of a monograph, by Edward B. Logan, published as a supplement to Volume 144 of *The Annals of the American Academy of Political and Social Science*.

William Jenkins Worth — Soldier, an article by W. Frances Scarborough, which appears in the July number of *Americana* is of special interest to Iowans because this is the General Worth for whom Worth County, Iowa, was named.

Leonard Owens Rea is the author of a monograph, *The Financial History of Baltimore 1900-1926*, which appears in a recent number of the *Johns Hopkins University Studies in Historical and Political Science*.

A biographical sketch of Barnabas Bidwell, 1763-1833, and a reprint of *The Susquehannah Title Stated and Examined*, a series of articles by Barnabas Bidwell, are two of the articles in Volume XX of the *Proceedings and Collections of the Wyoming Historical and Geological Society*. There is also an address on *Giant Power*, by F. H. Newell.

Some Facts in the Early Missionary History of the Northwest, by Peter J. Paul, and a continuation of *Sisters of the Third Order of St. Francis, 1855-1928* are two articles which appear in the June number of *Records of the American Catholic Historical Society of Philadelphia*.

The Democratic Dogma and the Future of Political Science, by Edward S. Corwin; a second installment of *Social Order and Political Authority*, by John Dickinson; and *Recent Changes in the Local Government of England and Wales*, by I. G. Gibbon are three papers in *The American Political Science Review* for August.

Three of the Master Builders of Our Republic, by Frank Bergen; *Gen. Daniel Morgan's Birthplace and Life*, by Joseph Fulford Folsom; and *The John Cleaves Symmes Purchase*, by Mrs. Edward M. Field, are three articles in the *Proceedings of the New Jersey Historical Society* for July.

Three of the contributions printed in *The Journal of Negro History* for July are the following: *The Participation of Negroes in the Government of Virginia from 1877 to 1888*, by James Hugo Johnston; *The Work of Relief Societies during the Civil War*, by G. K. Eggleston; and *The Status of Slaves in Colonial North Carolina*, by James A. Padgett.

Chippewa Customs, a monograph by Frances Densmore, makes up Bulletin 86 of the Bureau of American Ethnology of the Smithsonian Institution. Number 89 of this series contains *Observations on the Thunder Dance of the Bear Gens of the Fox Indians*, by Truman Michelson, and *Shabik'eshchee Village, A Late Basket Maker Site in the Chaco Canyon New Mexico*, by Frank H. H. Roberts, Jr., appears in Bulletin 92.

The Sources of the North Carolina Constitution of 1776, by Earle H. Ketcham; *The North Carolina Cherokees and the New Echota Treaty*, by George D. Harmon; *The Farmers' Alliance*, by John D. Hicks and John D. Barnhart; and *Twelve North Carolina Counties in 1810-1811*, by A. R. Newsome, are four contributions in *The North Carolina Historical Review* for July.

The *Rhode Island Historical Society Collections* for July contains three articles—*Thomas Mount and the Flash Language*, by William Davis Miller; *Report on Jonathan Arnold*, by Charles D. Kimball; and *The Second Commencement of Brown University*, by Robert Francis Seybolt. There is also a concluding installment of the *Log of Sloop Ranger, 1744*.

Notes on Peg Lamps, by Edward Allan Rushford, and continuations of *The Life and Times of Richard Derby, Merchant, of Salem*, by James Duncan Phillips, and *Salem Vessels and Their Voyages*, by George Granville Putnam, are three of the contributions published in *The Essex Institute Historical Collections* for July.

The three articles which appear in *The Quarterly Journal of the New York State Historical Association* for April are the following: *The Story of the North Country*, by George W. Reeves; *President Monroe's Visit to Northern New York in the Interests of National Defense*, by Rhoda Fox Graves; and *Burgoyne, Before and After Saratoga*, by Dixon Ryan Fox.

Among the articles and papers in the June issue of the *Maryland Historical Magazine* are the following: *Bellevue The Home of the National Society of Colonial Dames*, by Mrs. Joseph Rucker Lamar; *The First Man up San Juan Hill*, by DeCourcy W. Thom; *Aboriginal Maryland, 1608-1689*, by Raphael Semmes; and "*Fort Fredrick*": *Its Ownership, and How Title was Twice Acquired by Maryland*, by W. McCulloh Brown.

The Southwest: A Laboratory for Social Research, by Jennings J. Rhyne and Clyde Russell Rhyne; *Economic Forces in the Evolution of Civil and Canon Law*, by Calvin B. Hoover; *A Bibliography of Thorstein Veblen*, by Harold A. Innes; *Voting in California, 1900-1926*, by Charles H. Titus; and *Amending the Arkansas Constitution*, by John S. Strahorn, Jr., are among the papers and articles in *The Southwestern Political and Social Science Quarterly* for June.

In addition to the reports, the *Forty-fourth Annual Report of the Bureau of American Ethnology* contains the following papers: *Exploration of the Burton Mound at Santa Barbara, California*, by John P. Harrington; *Social and Religious Beliefs and Usages of the Chickasaw Indians*, by John R. Swanton; *Uses of Plants by the Chippewa Indians*, by Frances Densmore; and a continuation of *Archeological Investigations*, by Gerard Fowke.

Notes on the Ojibwa and Potawatomi of the Parry Island Reservation, Ontario, by Frederick Johnson; *Decorative Art on Birch-bark Containers from the Algonquin River du Lièvre Band*, by Vincent M. Petrullo; and *Months and Seasons of the Arikara Calendar*, by Melvin R. Gilmore, are among the short articles which appear in *Indian Notes* for July. This is published quarterly by the Museum of The American Indian, Heye Foundation.

The July number of *The Florida Historical Society Quarterly* contains the following articles and papers: part three of *Documents Relating to El Destino and Chemonie Plantations, Middle Florida, 1828-1868*, by Kathryn T. Abbey; *Key West and Salvage in 1850*; *Cooperation of State Governments with Historical Societies*, by Harold Colee; and *France Versus Spain in Florida, 1562-1564*, a prize essay by Donald Jaeger.

The July issue of *The Pennsylvania Magazine of History and Biography* contains the following articles and papers: *Old Business Cards of Philadelphia*, by Harrold E. Gillingham; *Captain Gerlach Paul Flick, Pennsylvania Pioneer*, by Alexander C. Flick; *Additional Letters of Humphry Marshall, Botanist and Nurseryman*, by John W. Harshberger; and a continuation of *The Second Troop Philadelphia City Cavalry*, by W. A. Newman Dorland.

The *American Anthropologist* for July-September contains among others, the following articles: *Culture Horizons in the Southwest*, by T. T. Waterman; *The Present Status of Archaeology in the United States*, by Neil M. Judd; *Prehistoric Rock Basins in the Sierra Nevada of California*, by George W. Stewart; and *Diffusion and Independent Invention: A Critique of Logic*, by Julian H. Steward.

An account of an exhibition of famous paintings associated with the history of Virginia, held at Richmond, Virginia, between April 29 and May 25, 1929, written by W. G. Stanard, is one of the contributions in *The Virginia Magazine of History and Biography* for July. Abbott C. Martin supplies a letter describing the Battle of Chancellorsville, written by Sergeant Macajah D. Martin. There are also continuations of *Virginia Council Journals, 1726-1753*; *Letters of the Byrd Family*; *Virginia Gleanings in England*; the *Diary of John Early, Bishop of the Methodist Episcopal Church, South*; and the *Kennon Letters*.

A Sketch of the Life of John Bradbury, Including His Unpublished Correspondence with Thomas Jefferson, by Rodney H. True, is an article of special interest to students of western American history which appears among the papers published in a recent num-

ber of the *Proceedings of the American Philosophical Society*. Bradbury was an English botanist who made a journey of survey and exploration in the United States beginning in 1809. From that time until his death in March, 1823, Bradbury was deeply interested in the western part of the United States and carried on a correspondence with Thomas Jefferson concerning this region.

The June issue of *The Canadian Historical Review* contains an account of the International Committee of Historical Sciences, written by Mack Eastman, and George W. Brown tells of the meeting of the Canadian Historical Association at Ottawa on May 22 and 23, 1929. The two articles are *Canada's Relations with the Empire as seen by the Toronto Globe, 1857-1867*, by F. H. Underhill, and *The Command of the Canadian Army for the Campaign of 1777*, by Jane Clark. Under *Notes and Documents* are an historical sketch and documents of McTavish, Frobisher and Company of Montreal, by R. Harvey Fleming.

In August, 1929, The Institute of American Genealogy began the publication of a monthly magazine devoted to genealogical research, called *The Magazine of American Genealogy*. The first number contains eight sections: a brief editorial section; a synopsis of the derivation of surnames beginning with the letters Aa to Ac; a section on Heraldry; a list of immigrants to America before 1750 whose names began with Aa to Ab; a list of soldiers and sailors in the American Revolution whose names likewise begin with Aa to Ad; a bibliography of American genealogy; and "Notes and Queries".

WESTERN AMERICANA

The Old Band, a story of Lawrence, Kansas, by Susan D. Alford, is one of the articles in *The Atlantic Monthly* for January.

Mexican Labor in the United States Valley of the South Platte Colorado, by Paul S. Taylor, appears in a recent number of the *University of California Publications in Economics*.

Indian Mounds, West Twin Lake, Montmorency County, Michigan, by Wilbert B. Hinsdale, has been reprinted from the *Papers*

of the *Michigan Academy of Science, Arts and Letters*, Vol. X, 1928.

On the Oregon Trail, by Ivy Carpenter Fisher, is an article of historical interest in the September number of *Vision*, published by the Reorganized Church of Jesus Christ of Latter Day Saints at Independence, Missouri.

The *Indiana History Bulletin* for July contains an account of the Conference on Midwestern Archeology held at St. Louis, Missouri, on May 18, 1929, by Amos W. Butler; and the story of the 1929 historical pilgrimage, by Nellie C. Armstrong.

The two articles which make up the January issue of the *Ohio Archaeological and Historical Quarterly* are: *Ohio in the Republican National Conventions*, by Charles A. Jones; and *Party Politics in Ohio, 1840-1850*, by Edgar Allan Holt.

The Santa Fe Trail, Path to Empire, by Frederick Simpich; and *Scenic Glories of the Western United States*, by Fred Payne Clatworthy, are two articles of interest to students of western American history which appear in *The National Geographic Magazine* for August.

The numbers of *El Palacio* covering the period from May 11 to August 17, 1929, contain many items of interest concerning the excavations in Chaco Canyon, especially the Chetro Kettle. The number for July 6 to August 17 also contains *Excavations in the Sacramentos*, by Wesley Bradfield.

Pioneer River Transportation in Dakota, by Harold E. Briggs; *Robert Dickson, British Fur Trader on the Upper Mississippi*, by Louis Arthur Tohill; *From Hungary to North Dakota*, from a diary by Jacob Dolwig, translated by Richard J. Dolwig; and *The Journey of John Orchard*, by J. Duane Squires, are the four contributions which appear in the *North Dakota Historical Quarterly* for April.

The *Abraham Lincoln Association Bulletin* for September 1, 1929, contains an article entitled *Lincoln's Land Holdings and Investments*. According to this account Lincoln acquired a forty

acre tract of land in Tama County, Iowa, by a patent issued on June 1, 1855, and one hundred and twenty acres in Crawford County by a patent issued on September 10, 1860.

A *Checklist of Wisconsin Indian Implements*, by Charles E. Brown; *An Ancient Village Site in Winnebago County*, by George Overton; *An Abraham Lincoln Indian Medal*, by Theodore T. Brown; and *The Winnebago Indians and the Mounds*, by John Blackhawk, are among the contributions which appear in *The Wisconsin Archeologist* for April.

The Romance of the Mackinac Country, by M. M. Quaife; *Frontier Life in Lake Superior Region*, by William H. Steele; and *Henry Ford's Typical Early American Village at Dearborn*, by Henry A. Haigh, are the three articles which make up the 1929 summer number of the *Michigan History Magazine*.

The July number of *Mid-America*, formerly the *Illinois Catholic Historical Review*, contains three papers of interest to students of middle western history: *The Political Regime of the French in the Valley of the Mississippi*, by Louise Callen; *On the Study of Place-Names*, by John M. Rothsteiner; and *Two Pioneer Indiana Priests*, by Francis S. Holweck. There is also a continuation of *The American Federation of Catholic Societies*, by Anthony Matre.

The *Western Pennsylvania Historical Magazine* for July contains the address delivered by John N. Boucher at the dedication of the building of the Historical Society of Western Pennsylvania on February 17, 1914. Other articles in this number are: *Diary of a Pennsylvania Volunteer in the Mexican War*, by James K. Greer; *The Allegheny County Bar in the Eighties*, by Frank C. McGirr; and *Arthur St. Clair*, by Ellis Beals.

The Transitional Period in the Career of General James H. Lane, by Wendell Holmes Stephenson; *The Reservoir Regulators of the Canal Period*, by Joseph E. Holliday; *Origin of the Term "Hoosier"*, by Oscar D. Short; and *Pioneer Sketches of DeKalb County*, by S. W. Widney, reprinted from a pamphlet of 1859, are the four articles which appear in the June issue of the *Indiana*

Magazine of History. Under *Documents* there is a collection of Mexican War letters.

The July number of *The History Quarterly of The Filson Club* contains an article by Temple Bodley entitled *Clark's "Mason Letter" and "Memoir"* and a third installment of *Minute Book A, Jefferson County, Kentucky, March, 1781—September, 1783*. This number also contains the *Amended Articles of Incorporation, Constitution, and By-Laws of The Filson Club*, as adopted May 6, 1929.

The Kirkwood Home at Iowa City is the title of the article in the series *Famous Homes on the Rock Island Lines*, prepared by L. O. Leonard, which appears in the July number of the *Rock Island Magazine*. In the August issue the contribution in this series is *The M. D. Herington Home at Herington, Kansas*, and for September *The Samuel B. Reed Home at Joliet, Illinois*.

Volume forty of the *Michigan Historical Collections* contains a short biographical sketch of William Hull and a collection of documents relating to Detroit and the vicinity between 1805 and 1813, most of which are letters from Hull to Henry Dearborn and William Eustis who in turn served as Secretary of War during the period covered by the volume. The papers include the defence by William Hull at the time of his court martial.

The July number of the *Southwestern Historical Quarterly* contains the following articles and papers: *The Beginnings of the Texas State Historical Association*, by Mrs. Bride Neill Taylor; *The Purchase and Importation of Camels by the United States Government, 1855-1857*, by Lewis Burt Lesley; *The Significance of the Destruction of the Buffalo in the Southwest*, by C. C. Rister; *An Anonymous Description of New Mexico, 1818*, edited by Alfred B. Thomas; and the twelfth installment of the *Diary of Adolphus Sterne*, edited by Harriet Smither.

The New Mexico Historical Review for July contains three articles: *The San Carlos Apache Police*, by John P. Clum; *Pimeria Alta after Kino's Time*, by George P. Hammond; and *A Virginian*

in *New Mexico, 1773-4*, by F. W. Hodge. There is also a series of documents printed both in Spanish and in the English translation made by Isidoro Armijo, which contain information communicated by Juan Candelaria, a resident of Albuquerque. These reminiscences were recorded in 1776 and cover the period of the early history of the town.

The June number of *The Oregon Historical Quarterly* contains the following contributions: *Voyages of Kendrick and Gray*, by F. W. Howay; *Later Affairs of Kendrick*, by Nellie B. Pipes; *Simpson at Astoria, 1824*, by W. N. Sage and T. C. Elliott; a fifth installment of the *Log of the Lausanne*, by Henry Bridgman Brewer, with notes and comments by John M. Canse; *History of Champoege Park*, by Albert Tozier; *Camels in the Inland Empire*, by T. C. Elliott; *University of Oregon Admission, 1876-1927*, by J. F. Santee; *Pioneer Woolen Mills in Oregon*, by Alfred L. Lomax; and *Agriculture in the Oregon Country in 1795-1844*, by J. Neilson Barry.

The *Chronicles of Oklahoma* for June contains a number of papers and articles among which are the following: *Clifton Pioneer Society of Quapaw Valley*, by S. Carrie Thomson; *Nathaniel Pryor*, by Grant Foreman; *Indian Against Indian*, by James Culbertson; *Cimarron Territory*, by T. E. Beck; *Alvin Woods' Retreat from Prairie Grove*, by Charles J. Phillips; *Fort Washita*, by W. B. Morrison; *First Explorer of Red River*, by B. L. Phipps; *The Indian's New Resurrection Myth*; *Banking In Indian Territory During the '80s*, by B. L. Phipps; and *Some Geographic Names of French Origin in Oklahoma*, by Muriel H. Wright.

The *Proceedings of the Tenth Annual Indiana History Conference*, for 1928, contains the following papers and addresses: *Old Houses in Centerville*, by Harry Dorsey Bertsch; *The Recovery of the Indiana-Illinois Boundary Stone*, by George A. Scott; *Robert Dale Owen's Mission to Naples*, by Louis Martin Sears; *La Salle in the St. Joseph Valley*, by Otto M. Knoblock; *George Rogers Clark — Civilian*, by James Alton James; *Sidelights on the Lochry Massacre*, by Earl W. Crecraft; *Where Did the Lincoln Family Cross*

the Ohio?, by Thomas James de la Hunt; *Indiana's Archeological Survey in 1928*, by Frank M. Setzler; and *Some Neglected Aspects of Settler Life*, by Allan Nevins.

Among the contributions in the *Journal of the Illinois State Historical Society* for April are the following: *Civil War Public Opinion of General Grant*, by Anna M. Green; *Is Lincoln Among the Aristocrats?*, by W. H. Barton; *The Lincoln Statue in Rosemond Grove Cemetery, Rosemond, Illinois*, by Lorene Martin; *Benjamin Ogden, First Western Cavalier*, by Louis A. Warren; *Black Hawk's Mississippi*, by John H. Hauberg; and *Shawneetown* by Stella Pendleton Lyles. A brief account of the unveiling of a marker in memory of Sarah Lusk, founder of Golconda, Illinois, is contributed by Madge Trovillion.

The 1929 *Jahrbuch der Deutsch-Amerikanischen Historischen Gesellschaft von Illinois*, Volume XXIX, contains several articles relating to Carl Schurz—*Ungedrucktes aus der Jugendzeit von Karl Schurz, der Mensch*, by Ernst Jockers, and *Festrede zum Deutschen Tag, Die deutsche Muttersprache, and Rede auf Bismarck*, all by Carl Schurz. In addition the volume contains the following papers and articles: *Baron von Steuben's Appeal to Washington for Justice*; *Memoir of the Baron von Steuben*, by William North; *Waterloo, Tagebuch vom Jahre 1815*, by Franz Lieber; *Rauch und Horne, Ein Abschnitt aus der Kulturgeschichte des pennsylvanisch-deutschen Volkes*, by Heinz Kloss; and *Zur Geschichte der Ansiedelung Hermann, Mo.*, by B. A. Uhlendorf.

The Quivira Society, organized in 1929 by a group of investigators interested in the early history of the Southwest, is planning to publish a series of volumes on the history of the region, chiefly English translations of original Spanish documents. These books will be available only to subscribing members of the society and will be reasonably priced. The first volume to appear is *Relation of the Espejo Expedition*, by Diego de Perez de Luxan, edited by Drs. George P. Hammond and Agapito Rey. The managing editor of the series is Dr. George P. Hammond of the University of Southern California. Dr. Herbert E. Bolton and Dr. F. W. Hodge are advisory editors.

The September issue of *The Mississippi Valley Historical Review* contains four articles and papers: *The Natural Limits of Slavery Expansion*, by Charles W. Ramsdell; *Frederick West Lander, Road-Builder*, by E. Douglas Branch; *The End of the Open Range in Eastern Montana*, by Robert S. Fletcher; and *James Schouler*, by Lewis Ethan Ellis. Under *Documents* there appears a diary of a Civil War soldier under the heading *They Also Marched*, edited by Paul Baughman Ingersoll. An account of the twenty-second annual meeting of the Mississippi Valley Historical Association, is contributed by Arthur H. Hirsch and Mrs. C. S. Paine presents the report of the Secretary-Treasurer of the Association for the year 1928-1929.

The July number of *The Washington Historical Quarterly* contains the following papers and articles: *Notes on the History of Botany in the State of Washington*, by George B. Rigg; *History of Chemical Education in Washington*, by H. K. Benson; *Traditions of the Hoh and Quillayute Indians*, by Albert B. Reagan; *Captain Maloney and Fort Chehalis*, by W. P. Bonney; *The Widow of Captain Robert Gray*, by Edmond S. Meany; *Joseph L. Meek*, by Rosetta W. Hewitt; *Ko-come-ne-Pe-ca, the Letter Carrier*, by J. Neilson Barry; *Anti-Chinese Riots in Washington*, by W. P. Wilcox; *Fort Benton's Part in the Development of the West*, by Asa A. Wood; and *The History of Tatoosh Island*, by Winifred Elyea. Under *Documents* there is found a business broadside of 1853, advertising the Territory of Washington.

Three of the contributions in *The Louisiana Historical Quarterly* for January deal with Charles Gayarre — an *Autobiography of Charles Gayarre* edited by Henry P. Dart; *Biographical Sketch of Hon. Charles Gayarre*, by a Louisianian; and four letters from Gayarre from 1878 to 1889. Other articles are the following: *Civil Procedure in Louisiana Under the Spanish Regime as Illustrated in Loppinot's Case, 1774*, by Henry P. Dart; *The Documents in Loppinot Case, 1774*, translated by Laura L. Porteous; and *Louisiana in 1724 (Banet's Report)*, translated by Heloise H. Cruzat. There are also continuations of the *Records of the Su-*

perior Council of Louisiana and the *Index to the Spanish Judicial Records of Louisiana*.

The *Transactions of the Illinois State Historical Society*, for 1928, issued as *Publication Number Thirty-five of the Illinois State Historical Library*, contains a number of papers and addresses, among which are the following: *Western Reaction to the Burr Conspiracy*, by Isaac Joslin Cox; *George Rogers Clark, Civilian*, by James A. James; *The German Conference in the Deutsches Haus, Chicago, May 14-15, 1860, and the Candidacy of Edward Bates and Abraham Lincoln in the Ensuant National Republican Convention*, by F. I. Herriott; *Some Aftermath of the Presidential Election of 1860*, by Charles P. Johnson; *The Establishment of Lotteries in Illinois for the Purpose of Raising Funds to Improve the Public Health*, by Dr. Gottfried Koehler; *Forts of Old Kaskaskia*, by Elbert Waller; and letters of Major James Austin Connolly, with an introduction by Frank K. Dunn.

The Oklahoma Folk-Lore Society has recently begun the publication of a new magazine called *Folk-Say*, the first number of which appeared in June, 1929. The publication is edited by B. A. Botkin and is printed by the University of Oklahoma Press at Norman, Oklahoma. The new periodical has an attractive cover and make-up. Among the contributions in the first number are the following: *The Folk in Literature: An Introduction to the New Regionalism*, by B. A. Botkin; *Choctaw Fables*, by James Culberson; *The Folk-Tale Collections of Oklahoma Indians*, by Erna Gunther; *The Dream That Never Dies: Oklahoma Treasure Legends*, by J. Frank Dobie; *Animals and Plants in Oklahoma Folk Cures*, by Walter R. Smith; *The Indiana Log-Rolling*, as told by Cliff Smith, by B. A. Botkin; *The Singin' Schule*, by Della I. Young; *Songs of Yesterday and Today*, by Acel Garland; and *The Taxi Talk*, by George Milburn. There are also a number of poems.

The *Colorado Magazine* for July contains the following papers and articles: *Early History of Lamar, Colorado*, by George B. Merrill; *Colorado's First Woman School Teacher*, by Thomas F. Dawson; *Across the Plains and in Denver, 1860*, a portion of the

diary of George F. Clark; *The Scene of Fremont's Disaster in the San Juan Mountains, 1848*, by Frank C. Spencer; and *The Hayden Survey in Colorado in 1873-1874*, letters from James T. Gardiner, with notes by Roger W. Toll. For September there are the following articles and papers: *Trinidad and Its Environs*, by A. W. McHendrie; *Freighting and Merchandising in Early Denver*, by Henry M. Porter; *Army Life at Fort Sedgwick, Colorado*, by Emily Boynton O'Brien; *Reminiscences of Kit Carson, Jr.*, an interview and notes by A. B. Sanford; *The Explorations of Gunnison and Beckwith in Colorado and Utah, 1853*, by Leland Hargrave Creer; and *My First Buffalo Hunt*, by Eugene Williams.

IOWANA

The July number of the *Bulletin of the Grand Lodge of Iowa, A. F. & A. M.*, contains a biographical sketch of Theodore Sutton Parvin.

The Sioux City of Yesterday, a short historical sketch by Mrs. William Gordon, appears in the March-April number of *The Iowa Clubwoman*.

Volume 37 of the *Annals of the Grand Lodge of Iowa, A. F. & A. M.*, has recently been distributed. The publication is edited by C. C. Hunt, Grand Secretary.

The senior magazine of the Algona High School issued in June, 1929, contains a number of articles and pictures relating to the early history of Algona.

When Waterloo Was Young, an address by Roger Leavitt, has been published in booklet form. This address was delivered before the Waterloo Rotary Club on April 1, 1929.

The July number of the *Community Magazine*, published at Boone, contains an article entitled *Stage Coaches and Cracking Whips Enlivened the Landscape*. This is continued in the August number which also contains an account of four circuses in Boone in 1880.

The Iowa District of the Lutheran Church has recently issued

an attractive booklet entitled *A Token of Remembrance for the Golden Anniversary of the Iowa District of the Synod of Missouri, Ohio and Other States*. The volume contains a great deal of material on early Iowa pioneer preachers and laymen, as well as a history of church work.

Public Archives: A Manual for Their Administration in Iowa, by Cassius C. Stiles, has been reprinted in book form from the *Annals of Iowa*. This contains a classification outline for arranging and filing public archives. Mr. Stiles has been for many years the superintendent of the Division of Public Archives in the Historical, Memorial and Art Department of Iowa at Des Moines.

The July number of the *Annals of Iowa* contains the following articles and papers: *The Codys in Le Claire*, by F. M. Fryxell; *The Place-names of Lee County, Iowa*, by T. J. Fitzpatrick; *Adoption Among the Indians*, by Edgar R. Harlan; and *A System of Handling and Depositing Personal Archives*, by Ellen D. Spaulding. Isaac Cody, the father of William F. Cody (Buffalo Bill), settled near Le Claire in 1839, and it was here that the future scout, hunter, and showman was born in 1845.

SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Ainsworth, Mary J.,

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Albert, Henry,

State Health Commissioner's Page (The Journal of the Iowa State Medical Society, August, 1929).

Aldrich, Bess Streeter,

Romance in G Minor (The Delineator, February, 1929).

Barrette, Lydia Margaret,

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Beer, Thomas,

Mr. Hanna (The Saturday Evening Post, April 13, 27, May 11, June 1, 1929, to be continued).

- Betts, George Herbert,
Direct or Indirect Character Education (Journal of the National Education Association, May, 1929).
- Blackmar, Beatrice (Joint author),
Girls Have Wings, Too! (St. Nicholas, June, 1929).
- Branch, E. Douglas,
Frederick West Lander, Road-BUILDER (The Mississippi Valley Historical Review, September, 1929).
- Brown, Bernice,
French Doll (Ladies' Home Journal, June, 1929).
Holiday (Ladies' Home Journal, June, 1929).
- Brown, Mabel Erie,
Call It a Day (Hawk Wings, March, 1929).
- Bryan, William Alanson,
Recent Bone-cavern Find at Bishop's Cap, New Mexico (Science, July 12, 1929).
- Colegrove, Kenneth,
Labor Parties in Japan (The American Political Science Review, May, 1929).
- Crawford, Nelson Antrim,
We Elect a Bishop (The American Mercury, August, 1929).
- Crowell, Grace Noll,
Magie (poem) (Good Housekeeping, June, 1929).
- Devine, Edward Thomas,
Quarter-Century Health Crusade (The Survey, May 15, 1929).
- Doran, Madeleine,
Henry VI, Parts II and III, Their Relation to the Contention and the True Tragedy (University of Iowa Humanistic Studies, Vol. IV, No. 4). Iowa City: The State University of Iowa. 1929.
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- Fulton, Reed,
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- Gabrielson, Ira Noel,
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- Gates, Robert,
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- Gould, Bruce (Joint author),
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- Gould, Gerald,
 The Call of the Road (poem) (The Storm Lake Pilot-Tribune, June, 1929).
- Grahame, Pauline,
 The Rockdale Flood (The Palimpsest, July, 1929).
- Hall, James Norman,
 High Adventure. Boston: Houghton Mifflin Co. 1929.
 To the Ice Mountains (The Atlantic Monthly, July, 1929).
- Hill, George Washington,
 Newer Competition (World's Work, June, 1929).
- Hill, Lee Forrest,
 Tuberculosis in Children (The Journal of the Iowa State Medical Society, August, 1929).

- Hoffmann, M. M.,
The Catholic Sponsors of Iowa (Columbia, April, 1929).
Dubuque: The Iowa Catholic Historical Society. August,
1929.
- Holmes, Samuel Jackson,
Perils of the Mexican Invasion (North American Review, May,
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- Hoover, Herbert Clark,
First Message to Congress, April 16, 1929 (Congressional Di-
gest, May, 1929).
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(School and Society, July 13, 1929).
- Hopkins, John A., Jr.,
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- Hurd, Marian Kent,
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Subjects They Teach* (University of Iowa Studies in Educa-
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Jacobs, Ruth Braucht,

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Knister, Raymond,

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SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

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- Recollections of the flood of 1893, by L. C. Moore, in the *Anthon Herald*, July 3, 1929.
- The Fourth of July in Iowa City, 1840, in the *Iowa City Press-Citizen*, July 3, 1929.
- Sketch of the life of Frank Dayton, in the *Brooklyn Chronicle*, July 4, 1929.
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History of the Young Men's Association of Cedar Rapids, by Erik M. Eriksson, in the *Cedar Rapids Gazette*, July 14, 1929.

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- The founding of Algona in 1854, in the *Titonka Topic*, July 15, 1929.
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- Sketch of the life of Mrs. Jane Bragg, oldest resident of Greene County, in the *Greene Recorder*, July 17, 1929.
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- Reminiscences of Des Moines in 1886, by Ora Williams, in the *West Union Gazette*, July 17, 1929.
- Early history of Iowa, in the *Greene Recorder*, July 17, 1929, and the *Parkersburg Eclipse*, August 8, 1929.
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- Story of Barnett Devine, pioneer cattle buyer of Kossuth County, in the *Algona Advance*, July 18, 1929.
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- Biographical sketch of Col. William McE. Dye, commander of the Twentieth Iowa Infantry, by Fred C. Henson, in the *Cedar Rapids Gazette*, July 21, 1929.
- Sketch of the life of Mrs. Carrie E. Giddings, Civil War nurse, in the *Cedar Rapids Gazette*, July 24, 1929.
- Mail delivery in early Iowa, by C. L. Lucas, in the *Madrid Register*, July 25, 1929.
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- Sketch of the life of Jasper N. Marsh, in the *Montezuma Republican*, July 25, 1929.
- History of Titonka, in the *Titonka Topic*, July 25, 1929.
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- The story of Riverside, in the *Washington Journal*, July 27, 1929.
- "Sunk" grove, historic spot in Pocahontas County, in the *Des Moines Register*, July 28, 1929, the *Fonda Times*, August 8, 1929, and the *Manson Journal*, August 8, 1929.
- The political influence of Davenport Germans, in the *Des Moines Register*, July 28, 1929.
- Liquor in Iowa since 1882, in the *Cedar Rapids Gazette*, July 28, 1929.
- Early days in New Albin, in the *Dubuque Herald*, July 28, 1929.
- Taking up land in Iowa in 1843, in the *Centerville Iowegian*, July 29, 1929.

- Seventy-fifth anniversary of the First Baptist Church at Waukon, in the *Waukon Republican and Standard*, July 31, 1929.
- The golden jubilee of the Iowa District of the Missouri Lutheran Synod, in the *Belle Plaine Union*, August 1, 1929.
- Historical sketch of Fort Atkinson, in the *Mt. Ayr Record*, August 1, 1929.
- Educational pioneering in Iowa, by Agnes Samuelson, Superintendent of Public Instruction, in the *Keosauqua Republican*, August 1, 1929.
- An Indian episode in Iowa, by C. L. Lucas, in the *Madrid Register*, August 1, 1929.
- Dedication of the G. A. R. monument at Keokuk, in the *Keokuk County News*, August 1, 1929.
- Sketch of the life of W. W. Gentry, in the *Winterset Madisonian*, August 1, 1929.
- Biographical sketch of Archbishop James J. Keane, in the *Oelwein Daily Register*, August 2, 1929.
- Law practice of W. D. Tisdale and James J. Smith, in the *Ottumwa Courier*, August 2, 1929.
- Sketch of the life of P. D. Burton, in the *Grinnell Herald*, August 2, 1929.
- An old mill company, in the *Iowa City Press-Citizen*, August 3, 1929.
- Biographical sketch of Seymour D. Carpenter, by Erik McKinley Eriksson, in the *Cedar Rapids Gazette*, August 4, 1929.
- Civil War veterans in Hawarden, by Hal Colby, in the *Sioux City Journal*, August 4, 1929.
- The treaty of 1842, in the *Centerville Iowegian*, August 6, 1929.
- Sketch of the life of Jacob W. Hoover, in the *West Union Gazette*, August 7, 1929.

A letter from a Civil War soldier, in the *Mt. Ayr Record*, August 7, 1929.

Reminiscences by T. A. Carpenter, in the *Fort Dodge Messenger*, August 7, 1929.

James A. Gilkison, a circus man from Adel, in the *Adel Dallas County News*, August 7, 1929.

When Indians lived in Iowa, in the *Sabula Gazette*, August 8, 1929.

Reminiscences of the Civil War, by J. A. Cohn, in the *Marshalltown Times-Republican*, August 8, 1929.

Beginnings of What Cheer and Petersburg, by Thomas Geneva, in the *What Cheer Chronicle*, August 8, 1929.

Eighty-one years of the Ottumwa Courier, in the *Ottumwa Courier*, August 8, 1929.

Mrs. Margaret Shriner Sheward, who attended the first Iowa State Fair, in the *Ottumwa Courier*, August 9, 1929.

The Iowa Female Collegiate Institute, in the *Iowa City Press-Citizen*, August 9, 1929.

The Cody family in Iowa, in the *Clinton Herald*, August 9, 1929, and the *Davenport Democrat*, August 17, 1929.

Total eclipse of the sun seen at Fairfield in 1869, in the *Fairfield Ledger*, August 10, 1929.

Early towns of Washington County, in the *Washington Evening Journal*, August 10, 1929.

Sketch of the life of Calvin I. Hayes, pioneer experimenter in aircraft, in the *Sioux City Journal*, August 11, 1929.

The burial of "Chief Bonsey", by W. T. Wolfe, in the *Glenwood Opinion-Tribune*, August 12, 1929.

Pioneer days in Iowa, by Lawrence Wright, in the *Jefferson Bee*, August 14, 1929.

The Dubuque trail, in the *Oelwein Register*, August 14, 1929, and the *Davenport Democrat*, August 19, 1929.

- Early days in Greene County, by George R. Waters, in the *Jefferson Herald*, August 15, 1929.
- An old plat of Montana, now Boone, in the *Boone Republican*, August 15, 1929.
- Tornadoes in Jones County, in the *Monticello Express*, August 15, 1929.
- How Climbing Hill got its name, in the *Moville Mail*, August 15, 1929.
- Charter Oak in 1887, in the *Charter Oak Times*, August 15, 1929.
- Early industries of Glenwood, by Will Tolles, in the *Glenwood Opinion-Tribune*, August 15, 1929.
- Civil War record of Andrew S. Chase, in the *Jackson Sentinel*, August 16, 1929.
- Pioneer days in Grinnell, by George H. Hamlin, in the *Grinnell Herald*, August 16, 1929.
- Soldier of the Revolutionary War buried near De Witt, in the *Clinton Herald*, August 16, 1929, and the *Maquoketa Sentinel*, August 23, 1929.
- Homecoming at Almorat, Delaware County, in the *Des Moines Register*, August 16, 1929, and the *Dubuque Herald*, August 18, 1929.
- Historical sketch of Washington, in the *Washington Evening Journal*, August 17, 1929.
- Indian remains at New Albin, in the *Dubuque Herald*, August 18, 1929.
- Collection of papers relating to Abraham Lincoln, in the *Des Moines Register*, August 18, 1929.
- The fair in Clayton County in 1854, in the *Dubuque Herald*, August 20, 1929.
- Sixtieth anniversary of the Oak Street Baptist Church of Burlington, in the *Burlington Gazette*, August 20, 1929.

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Early railroads of Alexandria and Buena Vista County, in the *Keokuk Gate City*, August 20, 1929.

The Phelps family in Grinnell, in the *Grinnell Herald*, August 20, 1929.

Grinnell in early days, by D. F. Hays, in the *Grinnell Herald*, August 20, 1929.

Railroad work of Henry M. Hamilton, by E. M. Vittum, in the *Grinnell Herald*, August 20, 1929.

Mastodon tusk found near Webster City in the *Webster City Journal*, August 21, 27, 1929.

Fort Madison's first newspaper, in the *Fort Madison Democrat*, August 21, 1929.

Survivors of Company F, Third Iowa, in Fayette County, in the *Cedar Rapids Gazette*, August 21, 1929.

Eighty-fifth anniversary of the Bethel Methodist Episcopal Church, in the *Sigourney Review*, August 21, 1929.

Churches at Frankville, in the *Decorah Republican*, August 21, 1929.

Early fairs in Fayette County, in the *West Liberty Index*, August 21, 1929.

Sketch of the life of Ellery M. Hancock, in the *Waukon Republican & Standard*, August 21, 1929.

The story of the Little Brown Church, by Mrs. Mary Fisher, in the *Nashua Reporter*, August 21, 1929.

Railroad construction work of Grenville M. Dodge, by Elmo Scott Watson, in the *Anita Tribune*, August 22, 1929.

Steamboating on the Iowa, in the *Wapello Republican*, August 22, 1929.

Pioneering in Iowa, by R. Sperbeck, in the *Spirit Lake Beacon*, August 22, 1929.

- The boundaries of Iowa, by C. L. Lucas, in the *Madrid Register*, August 22, 1929.
- Early days in Vandalia by Mrs. J. M. McCoy, in the *Newton News*, August 22, 1929.
- Sketch of the life of Charles G. Hipwell, in the *Davenport Democrat*, August 22, 1929.
- Sketch of the life of G. E. Crawford, in the *Cedar Rapids Gazette*, August 22, 1929.
- Davis County fairs, by Orin I. Allen, in the *Bloomfield Democrat*, August 22, 1929.
- The prehistoric Mississippi River, in the *Clinton Herald*, August 24, 1929.
- The Maxwell family of Washington County, in the *Washington Evening Journal*, August 24, 1929.
- Seventy-fifth anniversary of the Central City Methodist Episcopal Church, in the *Cedar Rapids Gazette*, August 25, 1929.
- Records of the First Presbyterian Church of Burlington, in the *Burlington Hawk-Eye*, August 25, 1929.
- Battle at Campbell's Island in 1814, in the *Davenport Democrat*, August 25, 1929.
- Tablet erected on site of rescue of Abbie Gardner from the Sioux Indians, in the *Sioux City Journal*, August 26, 1929, and the *Ruthven Free Press*, August 29, 1929.
- Old settlers of Lynnvile, Jasper County, in the *Grinnell Herald*, August 27, 1929.
- Indian history near Lake Mills, by H. L. Hill, in the *Lake Mills Graphic*, August 28, 1929.
- An Iowa City farm journal, in the *Iowa City Press-Citizen*, August 28, 1929.
- Experiences of Dr. Theo. Brenizer, a pioneer physician, in the *Lamoni Chronicle*, August 29, 1929.

Early history of Wiota and Franklin Township, by Mrs. F. M. Huff, in the *Atlantic News-Telegraph*, August 29, 1929.

Fiftieth anniversary of the founding of Lamoni, in the *Leon Journal*, August 29, 1929.

Balford Doherty returns to De Witt after sixty-three years, in the *De Witt Observer*, August 29, 1929.

Homecoming of German Methodist Episcopal Church near Sigourney, in the *Sigourney News*, August 29, 1929.

Prairie fires in early Iowa, by C. L. Lucas, in the *Madrid Register*, August 29, 1929.

Payments to the Indians for Iowa land, in the *Gladbrook Northern*, August 29, 1929.

Old mill stones near Mondamin, in the *Odebolt Chronicle*, August 29, 1929.

Story of Amos Hall, first white man to die in Worth County, in the *Northwood Anchor*, August 29, 1929.

The Loy family reunion, in the *Shenandoah Sentinel*, August 29, 1929.

The Iowa District of the Missouri Lutheran Synod, in the *Waverly Republican*, August 29, 1929.

Early history of Poweshiek County, in the *Grinnell Register*, August 29, 1929.

History of the Free Baptist Church at Fairbank, in the *Oelwein Daily Register*, August 30, 1929.

The Burlington and Missouri Railroad, by E. Douglas Branch, in the *Atlantic News-Telegraph*, August 30, 1929.

The first Iowa State Fair, in the *Fairfield Ledger*, August 31, 1929.

HISTORICAL ACTIVITIES

The eleventh annual Indiana History Conference will be held at the Claypool Hotel, Indianapolis, on December 13, and 14, 1929.

The Archaeological Department of Ohio has been making a study of the territory in northern Ohio occupied by Indians of Iroquois stock. Work has also been done on the reconstruction of the Seip Mound, in Ross County, near Bainbridge.

The Oregon Trail Memorial Association has issued a pamphlet entitled the *Oregon Trail A Plan to Honor the Pioneers*. Its object is to secure markers for the Oregon Trail and to awaken interest in pioneer life. It has been decided to hold a celebration in honor of the western pioneers in 1930, the one hundredth anniversary of the birth of Ezra Meeker who for so many years was associated with the westward movement.

On June 21-23, 1929, the Society of Indiana Pioneers and the Indiana Historical Society sponsored an historical pilgrimage into Kentucky. The itinerary included the grave of George Rogers Clark at Louisville, Kentucky; the birthplace of Abraham Lincoln in Hardin County, Kentucky; Federal Hill, the home of the Rowan family; Harrodsburg; Shakertown; Lexington, where the homes of Henry Clay and Mary Todd and Transylvania University were visited; Frankfort; and Cincinnati.

In response to a call by the Division of Anthropology and Psychology of the National Research Council a Conference on Mid-western Archeology was held at St. Louis, Missouri, on May 18, 1929. The Committee on State Archeological Surveys met the day before the conference. Iowa was represented by Charles R. Keyes, who is making an archeological survey of Iowa for the State Historical Society of Iowa. On the afternoon of the seventeenth an excursion was made to the Cahokia Mounds under the direction of Warren K. Moorehead, and in the evening H. C. Shetrone gave an illustrated address on "Ancient Indians of the Mississippi Valley".

On the day of the conference, the following papers were presented: "The Conservation of Public Sites", by Dr. Fay-Cooper Cole; "The Importance of Systematic and Accurate Methods of Investigation", by Dr. F. W. Hodge; "The Value of Prehistoric Sites to the States in Which They Lie", by Dr. A. C. Parker; and "The Human Interest of Archeology", by Dr. Clark Wissler.

IOWA

A collection of historical relics is being made at the Stewart Library at Grinnell.

An historical pageant of Palo Alto County was one of the features of the fair held at Emmetsburg on August 27-30, 1929. It was under the direction of Jack Geller of the John B. Rogers Producing Company.

Registrations at the rooms of the Madison County Historical Society for August 19th and 20th totaled over five hundred, according to E. R. Zeller, who is in charge of these rooms in the courthouse at Winterset.

The school district and the city government of Madrid have let the contract for the cases in which the collection of historic articles donated to the community by C. L. Lucas is to be preserved. The cases are to be placed in the assembly room of the schoolhouse.

The Commercial Club of Cedar Falls and the Public Library are coöperating in collecting an historical exhibit which will trace the history of Cedar Falls from the first settlements to the present. The committee representing the Commercial Club is made up of LeClair Martin, Roger Leavitt, and S. B. Humbert.

A woman's sidesaddle, for which it is said the site of the Kirkwood Hotel was once offered in trade, has been presented to the Madison County Historical Society. It was the gift of Mrs. Derrick Bennett, who as a girl of seventeen brought the saddle to Iowa.

An exhibit of historical objects, including many forms of agricultural machinery, was one of the features of the seventy-fifth State Fair, held at Des Moines on August 21-30, 1929. The exhibit

was in charge of Edward F. Pittman of the State Historical Department at Des Moines.

A tablet marking the birthplace of President Herbert Hoover at West Branch was dedicated on August 10, 1929, the fifty-fifth birthday of the chief executive. It consists of a granite boulder with a bronze tablet inserted and was provided by the Pilgrim Chapter of the D. A. R., of Iowa City. Dr. Benjamin F. Shambaugh, Superintendent of the State Historical Society of Iowa, gave the address.

The Howard County Historical Society held a meeting on July 8, 1929, at which sketches of the lives of President and Mrs. Herbert Hoover were given by various members of the society. The August meeting was held on the twelfth of the month. A number of historical articles and pictures were presented to the society at this time.

Algona and Kossuth County held a seventy-fifth anniversary celebration at Eagle Grove on July 14-16, 1929. Sunday afternoon the lot and house built by Asa C. Call was presented to Algona by his son, George C. Call, as a memorial to this early settler. On the afternoon of July 15th the Ambrose A. Call State Park was dedicated. The program for this occasion included speeches by State Senator George W. Patterson, Congressman L. J. Dickinson, Gardner Cowles, Jr., W. E. G. Saunders, and Secretary of State Ed. M. Smith. A feature of the celebration on the sixteenth was the historical and agricultural parade.

The annual meeting of the Wyoming Historical Society was held at the M. H. Calkins estate at Wyoming on August 6, 1929. This society was organized in 1924 and now has over one hundred members. The program at the meeting consisted largely of reminiscences of the vicinity. Miss Harriet Shaffer gave a talk on "Early Wyoming History", and R. Fishwild wrote a paper on "Early Business Life in Wyoming", which was read by Mrs. Josephine Franks Noyes. The following officers were elected: president, S. H. Brainard; vice presidents, Elva Calkins Briggs, Frances Franks, Mrs. Florence Richardson Thomas, and Mrs. Clara Stevenson; re-

cording secretary, Nettie Gridley Wherry; corresponding secretary, Mae Johnson Peck; and treasurer, Emma Alden.

THE STATE HISTORICAL SOCIETY OF IOWA

The State Historical Society has recently distributed a new volume relating to Iowa history. This is *The American Legion in Iowa, 1919-1929*, written by Jacob A. Swisher.

Dr. Bruce E. Mahan, who for the past six years has been Associate Editor of the State Historical Society, has resigned to become Director of the Extension Division of the State University of Iowa. Dr. Mahan began his new duties on the first of August.

A collection of clippings from the *Express and Herald* of Dubuque, Iowa, in 1857, has recently been presented to the State Historical Society by Mrs. George Kiesel of Dubuque. Most of these are descriptions of towns in northern Iowa and southern Minnesota by a newspaper correspondent.

Nine resident curators of the State Historical Society of Iowa were elected at a meeting of the Society held at Iowa City on June 24, 1929. Those chosen at the meeting are Arthur J. Cox, Marvin H. Dey, Henry G. Walker, Stephen A. Swisher, Charles M. Dutcher, William O. Coast, William L. Bywater, Thomas Farrell, and Roscoe H. Volland.

A collection of guns belonging to Clarence A. Fairall who died recently at Iowa City has been presented to the State Historical Society of Iowa. The collection includes twenty-nine muskets and rifles and twenty-two revolvers, some of the pieces dating back to the Revolution.

The following persons have recently been elected to membership in the Society: Mr. Adolph V. Jensen, Council Bluffs, Iowa; Mr. Warren E. Pollard, Des Moines, Iowa; Mr. L. D. Prewitt, Osage, Iowa; Dr. M. A. Royal, Des Moines, Iowa; Mr. Fred Crega Smith, Osage, Iowa; Mr. Howard L. Blanchard, Brighton, Iowa; Mr. W. J. Donlin, Creston, Iowa; Mrs. Sarah M. Harned, Eldora, Iowa; Mr. Edward H. Lauer, Iowa City, Iowa; Mr. Emmett O'Donnell, Coun-

eil Bluffs, Iowa; Mr. C. E. Baldwin, Eddyville, Iowa; Mrs. Anna E. Bullis, Allerton, Iowa; Mr. W. H. Cobb, Iowa City, Iowa; Mr. Hugo Geiger, Minden, Iowa; Mr. Paul H. Giddens, Iowa City, Iowa; Rev. R. E. Kerney, Kalona, Iowa; Mr. Harley Mitchell, Lacona, Iowa; Mr. E. W. Sass, Davenport, Iowa; Miss Minnie Wilds, Anita, Iowa; Mr. Frederic E. Zeuch, Davenport, Iowa; and Mr. Warren T. Zeuch, Davenport, Iowa. The following persons have been enrolled as life members: Mr. Johnson Brigham, Des Moines, Iowa; Dr. W. L. Bywater, Iowa City, Iowa; Miss Charlotte M. Noteboom, Aberdeen, South Dakota; Mr. F. B. Olsen, Iowa City, Iowa; Mrs. Mary A. Pfothhauer, Iowa City, Iowa; Mr. W. O. Phipps, Bagley, Iowa; Mr. E. E. Reed, Monticello, Iowa; Mr. Casper Schenk, Des Moines, Iowa; Mr. Geo. C. Scott, Sioux City, Iowa; Mr. Thos. H. Smith, Harlan, Iowa; Mr. P. D. Van Oosterhout, Orange City, Iowa; Mr. Claus L. Anderson, Stanton, Iowa; Mr. Nathaniel K. Beechley, Cedar Rapids, Iowa; Miss Helene Landsberg, Newberry, South Carolina; Mr. Irving B. Richman, Muscatine, Iowa; Mr. Donald J. A. Ritchie, Rockledge, Florida; Mr. E. F. Schall, Fairfield, Iowa; and Mr. Herman J. Zeuch, Davenport, Iowa.

NOTES AND COMMENT

The old settlers of Madison and Warren counties held their annual reunion at St. Charles on August 15, 1929.

The Three-Quarter Century Club held its annual picnic at Newton on July 31, 1929. The speakers were James R. Rhodes, J. W. Jarnagin, and H. S. Morrison.

The annual meeting of the Iowa Library Association was held at Des Moines on October 15-17, 1929. The meeting headquarters were at Hotel Fort Des Moines.

Miss Agnes Samuelson, State Superintendent of Public Instruction, gave an address on "Pioneering, Then and Now" at the Layton-Douglas semi-centennial celebration at Keosauqua on July 24, 1929.

A pioneer log cabin, built originally as a granary on the farm of August Zahlten, has been donated to the Ambrose A. Call State Park by Miss Clara Zahlten and is being moved to the new location.

On August 28, 1929, the pioneer settlers of Scott County held their seventy-third annual meeting at Davenport. Membership is limited to those who were residents of Scott County on or before 1846. The chief address was delivered by Wayne G. Cook.

The annual soldiers and settlers reunion of Drakesville for 1929 was held at that place on August 29th and 30th. Among the speakers listed on the program were Senator Daniel F. Steck, Congressman C. W. Ramseyer, J. S. Stamps, James J. Starr, Herbert B. Carroll, and John F. Kline.

Dr. Nelson V. Russell, formerly professor of history at the University of California, has been appointed head of the department of history at Coe College, to succeed Dr. Erik McKinley Eriksson, who

has accepted a position in the history department of the University of Southern California.

On Sunday, July 7, 1929, the Bethel Methodist Episcopal Church, three miles north of Birmingham, held a memorial service for the Rutledge family. The graves of Mrs. Rutledge and her son, John Rutledge, mother and brother of Abraham Lincoln's early sweetheart, are in the cemetery near the church. The family moved to Iowa in 1837.

The tenth State conference for library works was held at Iowa City on July 2 and 3, 1929. Among the addresses given was "The Mississippi River in Literature", by Grace Shellenberger of the Davenport Public Library, and "The Small Library and Local History", by Dr. Benjamin F. Shambaugh, Superintendent of the State Historical Society of Iowa.

A reunion of the Hornets' Nest Brigade was held at Ottumwa on June 20 and 21, 1929. Twenty-six veterans attended, their total ages being estimated at 2,224 years. This famous Iowa brigade was made up of the Second, Seventh, Eighth, Twelfth, and Fourteenth Iowa Infantry. J. B. Carman was elected president of the organization for the ensuing year; J. C. McQueen, first vice president; E. G. Chapman, second vice president; and J. E. Kent, secretary-treasurer.

The fourth annual reunion of the alumni of Humboldt College was held at Humboldt on August 18, 1929. At this time a monument was dedicated to Rev. S. H. Taft, founder of the college. Mrs. Sadie Nelson Quamme gave the dedicatory address. A history of the college, prepared by Judge Fred H. Taft, was read by Mrs. Alice Taft. The native boulder with the bronze tablet was prepared by the Mary Brewster Chapter of the D. A. R. and the college alumni.

The Cedar County Old Settlers' Association held its annual meeting at Tipton on June 10, 1929. This was the fifty-eighth anniversary of the founding of the association. A letter on early Cedar County history, written by S. R. Neiman, was read by Mrs.

J. N. McCormick, and Charles L. Longley of Boise, Idaho, gave reminiscences of the county. Peter McNee was chosen president of the organization; H. E. Worrall, vice president; H. W. Franco, secretary; and D. L. Diehl, treasurer.

The city of Greene and Coldwater Township celebrated a golden jubilee and homecoming during July 28 to August 1, 1929. On July 30th, pioneer day, the program included the dedication of the Laura A. Mather Memorial Library Building, an illustrated lecture by L. O. Leonard of the Rock Island Railroad on "The Evolution of Transportation and Early Days on the B. C. R. & N. Ry.", and an address by Judge Martin J. Wade. July 31st was pageant day. The four episodes represented the Indians at home, the coming of the first settlers, the arrival of the first train, and the World War. The pageant was repeated the next evening.

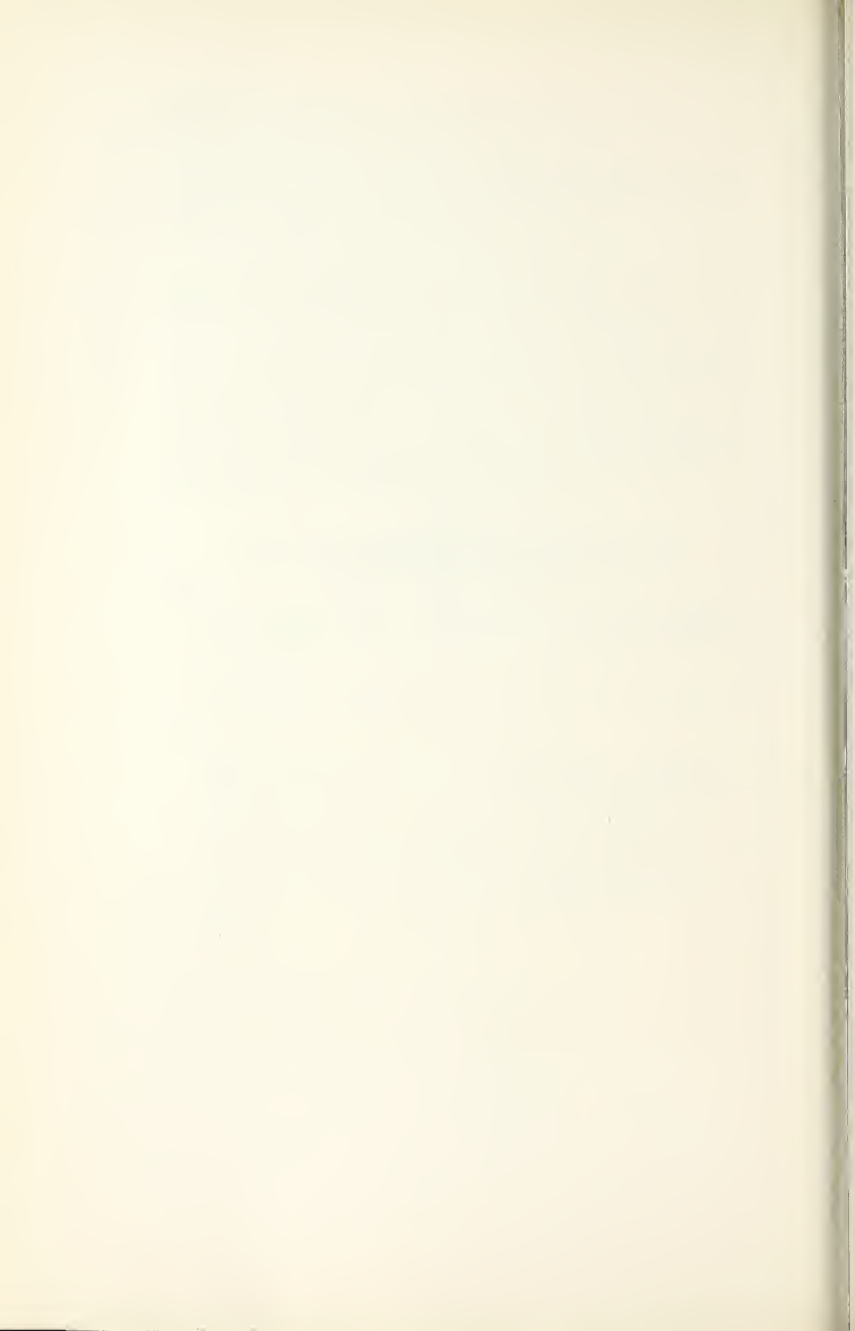
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O. A. GARRETSON. (See THE IOWA JOURNAL OF HISTORY AND POLITICS, July, 1924, p. 480.)

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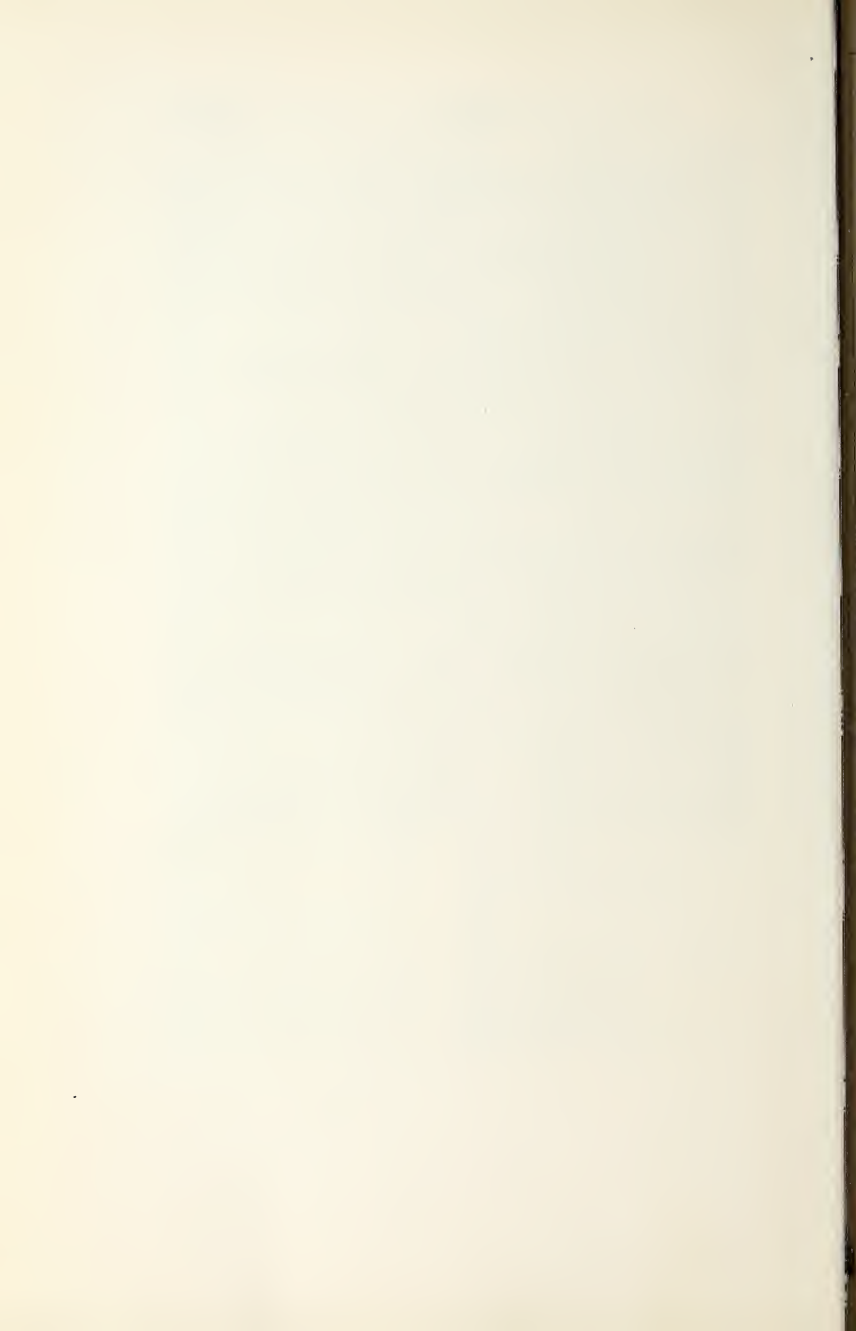
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